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This publication summarizes the Minnesota laws and rules governing ethical behavior by members and staff of the Minnesota House.

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## Overview

Members and staff of the Minnesota House must comply with a variety of standards intended to ensure ethical behavior in their public service work. Many of these standards are provided in state law, while others are contained in the procedural rules of the House. Each of these laws and rules is summarized in the table starting on page 2.

The table does not include: (1) laws or rules on campaign ethics; (2) legislative policies not embodied in laws or official rules, except where noted; (3) laws of general application that do not specifically refer to members or staff in their official capacity as public officials or employees (the crimes of theft or forgery, for example); or (4) sexual harassment or discrimination policies.

A legal citation is given for each standard. References are to Minnesota Statutes as amended through 2024 and the Rules of the House 2023-2024.

Sometimes a law does not clearly state whether its standard applies to legislators or the legislative branch. A law's application to the legislature may be unclear where the law references a larger named group (e.g., "elected officials") that may or may not include legislators and legislative staff.

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### Conduct Standards for Minnesota House Members and Staff

Category of Activity	Standard of Conduct
<b>General violation of House norms, betrayal of public trust, or bringing the House into dishonor or disrepute</b>	<p>A complaint may be brought to the Ethics Committee for “conduct by a member that violates a rule or administrative policy of the House, that violates accepted norms of House behavior, that betrays the public trust, or that tends to bring the House into dishonor or disrepute.”</p> <p><a href="#">House Rule 6.10</a></p>
<b>Conflicts of Interest</b>	
<b>Gifts</b>	<p>House members and employees may not accept gifts from lobbyists or principals. Specified exceptions from the ban are listed in the statute, which is included at the end of this publication. Other exceptions have been identified in advisory opinions of the Campaign Finance and Public Disclosure Board.</p> <p><a href="#">Minn. Stat. § 10A.071</a></p>
<b>Gifts related to state contracts and purchases</b>	<p>State employees involved in purchasing or contracting decisions may not accept anything of more than nominal value from a supplier.</p> <p><a href="#">Minn. Stat. § 15.43</a></p>
<b>Travel and lodging</b>	<p>House members and employees may not accept travel or lodging from a foreign government, private for-profit business, labor union, registered lobbyist, or any association of such entities, except for payment permitted by law of expenses of participating in a meeting or conference. This prohibition does not apply to a member acting in the regular course of nonlegislative employment or business.</p> <p><a href="#">House Rule 9.21</a></p>
<b>Honoraria</b>	<p>A House member may not accept an honorarium (expenses excepted) for any service performed for an individual or organization that has a direct interest in the business of the House. The prohibition does not apply to reimbursement for expenses incurred by a member performing a service. Alleged violations of this rule must be referred to the Ethics Committee. A prohibited honorarium must be returned.</p> <p><a href="#">House Rule 9.20</a></p> <p>Lobbyists must report each honorarium, gift, loan, or benefit of over \$5 value given to legislators and certain legislative staff. These reports are public.</p> <p><a href="#">Minn. Stat. § 10A.04, subd. 4, para. (g)</a></p>
<b>Lobbying</b>	<p>House members may not lobby for compensation.</p> <p><a href="#">House Rule 9.10</a></p>

Category of Activity	Standard of Conduct
	<p>Former state legislators must not register as lobbyists within one year from the date they leave office.</p> <p><a href="#">House Rule 9.35</a></p>
<p><b>Compensation from lobbying or government relations businesses</b></p>	<p>A sitting member of the legislature is prohibited from accepting employment with or otherwise receiving compensation for services performed from:</p> <p>(1) a business whose primary source of revenue is derived from lobbying, government relations, or government affairs services;</p> <p>(2) a business whose primary source of revenue is derived from facilitating government relations or government affairs services between two third parties; or</p> <p>(3) any other business that employs or contracts with lobbyists, government relations, or government affairs professionals, if the member's job duties include acting in that capacity or providing direct or indirect consulting, advice, or administrative support for that work.</p> <p>This prohibition applies regardless of the location where the work of the business is substantially conducted or its clients are located.</p> <p><a href="#">Minn. Stat. § 3.084</a></p>
<p><b>Representing clients for a fee</b></p>	<p>Legislators and specified legislative staff must disclose representation of a client for a fee before an individual or agency that has rulemaking authority.</p> <p><a href="#">Minn. Stat. § 10A.08</a></p>
<p><b>Conflict of interest related to state contracts and purchases</b></p>	<p>State employees involved in a purchasing or contracting decision may not have a financial interest in or derive a benefit from a supplier or potential supplier. Misdemeanor.</p> <p><a href="#">Minn. Stat. § 15.43</a></p> <p>Public officers involved in contracting may not voluntarily have a personal interest in or benefit financially from the contract. Gross misdemeanor.</p> <p><a href="#">Minn. Stat. § 471.87</a></p>
<p><b>Conflicts of interest; general</b></p>	<p>Legislators and specified legislative staff must file an annual report on economic interests.</p> <p><a href="#">Minn. Stat. § 10A.09</a></p> <p>Legislators and specified legislative staff must disclose when making a decision or taking an action that would substantially affect a personal financial interest or the financial interests of an associated business.</p> <p><a href="#">Minn. Stat. § 10A.07</a></p> <p>A House member with an immediate interest in a question must not vote on it.</p> <p><a href="#">House Rule 2.05</a></p>

Category of Activity	Standard of Conduct
<b>Misuse of Official Authority</b>	
<b>Accepting extra compensation</b>	<p>Public officers or employees may not intentionally ask, receive, or agree to receive compensation (1) in excess of that allowed by law or (2) where no compensation is allowed. Misdemeanor.</p> <p><a href="#">Minn. Stat. § 609.45</a></p>
<b>Misusing state time, property, or funds</b>	<p>State officers or employees may not sell state property to another state or local officer or employee, except under specified conditions and procedures.</p> <p><a href="#">Minn. Stat. § 15.054</a></p> <p>See also “Campaign activity” below.</p> <p>State employees may not use or allow the use of state time, supplies, or property for the employee’s private interest, or any other use not in the interests of the state.</p> <p><a href="#">Minn. Stat. § 43A.38</a>, <i>subd. 4</i></p>
<b>Corrupting the state civil service</b>	<p>State employees or other persons may not engage in specified acts (e.g., paying for an appointment) that relate to defrauding the civil service appointments system.</p> <p><a href="#">Minn. Stat. § 43A.39</a></p>
<b>Campaign contributions during legislative sessions</b>	<p>A candidate, candidate’s principal campaign committee, or a legislative caucus may not solicit or accept a contribution from a registered lobbyist, political committee or fund, a dissolving principal campaign committee, or certain other associations during the regular legislative session. A legislator remains a “candidate” for purposes of this restriction until the legislator’s principal campaign committee is dissolved.</p> <p>A political party unit may not solicit or receive contributions from the above sources at an event hosted by a candidate for the legislature or constitutional office during the regular legislative session. Punishable by a civil penalty of up to \$1,000.</p> <p><a href="#">Minn. Stat. § 10A.273</a></p> <p>A House member and certain groups associated with the member are prohibited from soliciting or accepting a contribution from a lobbyist, corporation, labor union, political committee, tribal organization, and other specified entities during a regular or special legislative session.</p> <p><a href="#">House Rule 9.10</a></p>
<b>Political activity; use of official authority</b>	<p>State employees may not, during hours of employment, solicit or receive political contributions or use official authority to compel political contribution or activity.</p> <p><a href="#">Minn. Stat. § 43A.32</a>, <i>subd. 1</i></p>

Category of Activity	Standard of Conduct
	<p>An employee or official of the state may not use official authority or influence to compel a person to apply for membership in or become a member of a political organization, to pay or promise to pay a political contribution, or to take part in political activity.</p> <p><a href="#">Minn. Stat. § 211B.09</a></p>
<b>Campaign activity</b>	<p>An employee or member of the House may not use House equipment for campaign activities. An employee of the House may not participate in campaign activity during working hours or be obliged to participate in campaign activities as a condition of employment.</p> <p><a href="#">House Rule 9.05</a>; <i>House Campaign Activity Policy C-4</i></p>
<b>Criminal Activity</b>	
<b>Making or paying false claims</b>	<p>Any person who, with intent to defraud, knowingly presents a false claim to a public officer or body is guilty of an attempt to commit theft of public funds. (See below, “Theft of public funds.”)</p> <p><a href="#">Minn. Stats. §§ 609.465</a></p> <p>Public officers or employees may not knowingly allow or pay a false or fraudulent claim against a government agency. Punishable by up to five years in prison and/or a fine of up to \$10,000.</p> <p><a href="#">Minn. Stat. § 609.455</a></p>
<b>Failing to remit state funds</b>	<p>Any person who receives money on behalf of or for the account of a public entity may not intentionally refuse or omit to pay the money to the public entity. Punishable by up to five years in prison and/or a fine of up to \$10,000.</p> <p><a href="#">Minn. Stat. § 609.445</a></p>
<b>Misappropriation of money</b>	<p>An official or employee in the executive, legislative, or judicial branches may not intentionally use money appropriated by law knowing that the use is for a purpose other than the purpose for which the money was appropriated. Unless a greater penalty is specified in other law, violation is a gross misdemeanor and may be grounds for expulsion, impeachment, or recall of an elected official.</p> <p><a href="#">Minn. Stat. § 16A.139</a></p>
<b>Theft of public funds</b>	<p>Any person convicted of theft may be sentenced to a term in prison and/or subject to a fine. The severity of the penalty varies based on the amount of the theft.</p> <p><a href="#">Minn. Stat. § 609.52</a>, <i>subd. 3</i></p>

Category of Activity	Standard of Conduct
<b>Bribery</b>	<p>Public officers or employees may not be bribed or accept a bribe. Punishable by up to ten years in prison and/or a fine of up to \$20,000. Legislators convicted of bribery forever forfeit the right to hold office.</p> <p><a href="#">Minn. Stat. § 609.42</a></p>
<b>Misconduct in office</b>	<p>A public officer or employee may not (1) intentionally fail to perform a known mandatory duty; (2) act knowingly in excess of or contrary to lawful authority; (3) under pretense of authority, intentionally or unlawfully injure another's person, property, or rights; or (4) knowingly make a materially false return, certification, official report, or document. Punishable by up to 364 days in jail and/or a fine of up to \$3,000.</p> <p><a href="#">Minn. Stat. § 609.43</a></p>
<b>Holding public office illegally</b>	<p>No person may intentionally and unlawfully assume public office or refuse to surrender office to a successor or other authority. Punishable by up to 364 days in jail and/or a fine of up to \$3,000.</p> <p><a href="#">Minn. Stat. § 609.44</a></p>
<b>Malfeasance/nonfeasance/serious crimes</b>	<p>A recall petition may be filed against a state officer on the grounds of intentional commission of an unlawful or wrongful act in the performance of official duties; intentional, repeated failure to perform required official duties; or conviction of specified misdemeanors or gross misdemeanors.</p> <p><a href="#">Minn. Stat. §§ 211C.01 to 211C.09</a></p> <p>Conviction of any infamous crime, or of any offense involving a violation of the official oath may cause the member's office to automatically become vacant.</p> <p><a href="#">Minn. Stat. § 351.02, cl. (5)</a></p>
<b>Interference with the Legislative Process</b>	
<b>Contempt of the legislature</b>	<p>Each house of the legislature may punish the following activities as contempt:</p> <ul style="list-style-type: none"> <li>(1) arresting or causing to be arrested, a member or officer in violation of the member's privilege from arrest</li> <li>(2) disorderly conduct in its view and presence, or in the view and presence of any of its committees, tending to interrupt its proceedings</li> <li>(3) giving or offering a bribe to a member, or attempting by menace or corrupt or improper means, directly or indirectly, to control or influence a member in giving or withholding the member's vote</li> </ul> <p>Contempt of the legislature is punishable by imprisonment.</p> <p><a href="#">Minn. Stat. §§ 3.14 to 3.15</a></p>

Category of Activity	Standard of Conduct
<b>Corruptly influencing a legislator</b>	<p>Any person who by menace, deception, concealment of facts, or other corrupt means, attempts to influence a legislator may be sentenced to prison for up to five years and/or a fine of up to \$10,000.</p> <p><a href="#">Minn. Stat. § 609.425</a></p> <p>See also “Contempt of the legislature,” above.</p>
<b>Disturbing legislature or intimidating member</b>	<p>The following activities are a gross misdemeanor:</p> <p>(1) willfully disturbing the legislature, or either house of it, while it is in session</p> <p>(2) disorderly conduct in the presence and view of either house, tending to interrupt its proceedings or impairing the respect due to its authority</p> <p>(3) willfully, by intimidation or otherwise, preventing a member of the legislature from attending a session of the member’s house, or of a committee of it, or from giving the member’s vote upon a question that may come before the house, or from performing any other official act</p> <p><a href="#">Minn. Stat. § 3.151</a></p>
<b>Fraudulent alteration of a bill or resolution</b>	<p>A person who fraudulently alters the draft of a bill or resolution that has been presented to either house of the legislature to be passed or adopted, with intent to procure its passage or adoption by either house or certification by the presiding officer in language different from that intended by the house, is guilty of a gross misdemeanor.</p> <p>A person who fraudulently alters the engrossed copy or enrollment of a bill that has been passed by the legislature, with intent to procure its approval by the governor, certification by the secretary of state, or printing or publication by the printer of the statutes, in language different from that in which it was passed by the legislature, is guilty of a felony.</p> <p><a href="#">Minn. Stat. §§ 3.185 and 3.191</a></p>
<b>Open meeting rule violation</b>	<p>A person may submit a complaint to the Speaker of the House regarding a violation of the legislative open meeting rule. The speaker must investigate and may refer the matter to the Committee on Ethics.</p> <p><a href="#">House Rule 6.23</a></p>

## Additional Resources

- For an explanation of the operation of the House Ethics Committee, see the House Research publication, [Ethical Issues and the Minnesota House](#).
- For more specific information about gifts to elected officials, see the House Research publication [Gift Ban Law and Rules for House Members and Employees](#).
- See also the Campaign Finance and Public Disclosure website, [cfb.mn.gov](http://cfb.mn.gov).

# Appendix: Gift Law for Public Officials and Legislative Staff

## 2024 Minnesota Statutes

### [10A.071](#) CERTAIN GIFTS BY LOBBYISTS AND PRINCIPALS PROHIBITED.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

(c) "Official" means a public official, an employee of the legislature, or a local official.

(d) "Plaque" means a decorative item with an inscription recognizing an individual for an accomplishment.

Subd. 2. **Prohibition.** A lobbyist or principal may not give a gift or request another to give a gift to an official. An official may not accept a gift from a lobbyist or principal.

Subd. 3. **Exceptions.** (a) The prohibitions in this section do not apply if the gift is:

- (1) a contribution as defined in section [10A.01](#), subdivision 11;
- (2) services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;
- (3) services of insignificant monetary value;
- (4) a plaque with a resale value of \$5 or less;
- (5) a trinket or memento costing \$5 or less;
- (6) informational material with a resale value of \$5 or less; or
- (7) food or a beverage given at a reception, meal, or meeting if:
  - (i) the reception, meal, or meeting is held away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program; or
  - (ii) the recipient is a member or employee of the legislature and an invitation to attend the reception, meal, or meeting was provided to all members of the legislature at least five days prior to the date of the event.



(b) The prohibitions in this section do not apply if the gift is given:

(1) because of the recipient's membership in a group, a majority of whose members are not officials, and an equivalent gift is given to the other members of the group; or

(2) by a lobbyist or principal who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family.

*History: 1994 c 377 s 5; 1999 c 220 s 50; 2005 c 156 art 6 s 4; 2008 c 295 s 3; 2010 c 327 s 7,8; 2013 c 138 art 1 s 18; art 2 s 3; 1Sp2017 c 4 art 3 s 5; 2023 c 62 art 5 s 21*



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