

Minnesota Campaign Finance and Public Disclosure Board

cfb.mn.gov 651-539-1180 800-657-3889

Public and Local Officials Handbook

Last revised: 8/1/21

Welcome.....	2
Filing a statement of economic interest.....	3
Are you a public official?.....	3
What are the requirements for candidates for constitutional and legislative offices?.....	4
What are the requirements for local officials?.....	4
What is a statement of economic interest?.....	5
When does your statement of economic interest need to be filed?.....	5
How do you complete the section for address, occupation, and employer?.....	5
What is an associated business?.....	6
How do you complete the section on sources of compensation?.....	7
How do you complete the section on business or professional activity categories?.....	8
How do you complete the section on securities?.....	9
How do you complete the section on real property?.....	10
How do you complete the section on pari-mutuel horse racing?.....	11
How do you file your first statement of economic interest?.....	11
When do you update your statement of economic interest?.....	12
How do you fix mistakes on a statement of economic interest?.....	12
What happens when you stop being a public or local official?.....	12
What penalties apply if you don't follow the laws for statements of economic interest?.....	13
Filing other notices related to your official activities.....	14
What is a potential conflict of interest notice and when is it due?.....	14
What is a notice of inability to abstain from potential conflict of interest and when is it due?..	15
What is a representation disclosure notice and when is it due?.....	16
What penalties apply if you don't follow the laws governing these notices?.....	17
Gifts and contributions.....	18
What is the ban on gifts from lobbyists and principals to public and local officials?.....	18
What is a political contribution?.....	19
What penalties apply to gifts and contributions that don't follow the rules?.....	19
Getting help.....	20
What is the role of advisory opinions?.....	20
Complaints.....	20
Who do you contact for help?.....	20
Business and professional activity categories.....	22

Welcome

This handbook was written for you by the staff of the Campaign Finance and Public Disclosure Board. The Board was created by the Legislature back in the 1970's. Part of its job is to oversee and publish information about how personal financial interests could influence state legislative and administrative actions and metropolitan governmental actions. You can learn more about the mission and members of the Board on our website at cfb.mn.gov.

This handbook is for people who are public and local officials. Public and local officials must report about their individual financial interests and potential conflicts of interest.

Although many people work for the government, not all of those people are public or local officials. Public and local officials are only those individuals who hold one of the government jobs described in Chapter 10A. This handbook will tell you whether you are a public or local official and, if you are, what reports and notices you need to file.

If you print this handbook, please check the Board website periodically for updates. Look at the "Last revised" date on the first page of the online handbook to see if you have the latest version.

We have not tried to answer every possible question in this handbook. When you can't find the answer to a question here, please call us. You can find out which staff member can best help you by looking at the Getting Help section at the end of this handbook. You also can look at our website for additional information. All the forms you need also are available on our website.

In general, if you are elected or appointed to one of the positions listed in Chapter 10A, you must file a statement of economic interest. On this form, you must report some general information about your financial interests, such as your employer's name and the location of any non-homestead property that you own. You must update your statement once a year. The Board posts some of this information about public officials on its website so that the public can know when a public official might have a private financial interest in a pending public matter. Metropolitan governmental units may post some of the information about their local officials on their websites.

If one of your financial interests could be affected by a matter pending before you, you must disclose the potential conflict of interest and try to abstain from the matter. If you cannot abstain, you must explain why this is not possible. You also must disclose when you represent a client for a fee in an agency hearing.

Finally, lobbyists and their employers cannot give gifts to public and local officials except in certain limited situations. When lobbyists or their employers give public or local officials gifts that are permitted under the law, these gifts must be disclosed by the lobbyist.

Filing a statement of economic interest

Overview

This chapter tells you whether you qualify as a public or local official and, if you do, how to file a statement of economic interest.

Topics covered

- Are you a public official?
- What are the requirements for candidates for constitutional and legislative offices?
- What are the requirements for local officials?
- What is a statement of economic interest?
- When does your first statement of economic interest need to be filed?
- How do you complete the section for address, occupation, and employer?
- What is an associated business?
- How do you complete the section on sources of compensation?
- How do you complete the section on business or professional activity categories?
- How do you complete the section on securities?
- How do you complete the section on real property?
- How do you complete the section on pari-mutuel horse racing?
- How do you file your first statement of economic interest?
- When do you update your statement of economic interest?
- How do you fix mistakes on a statement of economic interest?
- What happens when you stop being a public or local official?
- What penalties apply if you don't follow the laws for statements of economic interest?

Are you a public official?

People who are public officials must file a statement of economic interest with the Board. Although many people work for the government, not all of those people are public officials. Public officials are only those people who hold one of the government jobs listed in Chapter 10A.

Generally, public officials fall into the following categories:

- Members of the legislature and high-level legislative employees;
- Constitutional officers and high-level employees of constitutional offices;
- Commissioners and high-level employees of state agencies;
- District court judges, appellate court judges, and supreme court justices;
- Members, directors, and high-level employees of state boards or commissions that have rule-making authority or the authority to decide contested cases;
- Administrative law judges;
- County commissioners;

- Supervisors of soil and water conservation districts;
- Managers of watershed districts and members of water management organizations; and
- Members, directors, and some employees of the boards and commissions specifically listed in Chapter 10A.

A retired judge or justice appointed to serve as a judge or justice under Minnesota Statutes section 2.724 is a public official but is not required to file a statement of economic interest.

A [complete list](#) of all positions that qualify as public officials is available on the Board's website. If your position is on this list, you are a public official and you must file a statement of economic interest with the Board.

If you fill one of the listed positions on a part-time or acting basis, you are a public official.

What are the requirements for candidates for constitutional and legislative offices?

Although they are not yet public officials, candidates for constitutional and legislative offices also are required to file statements of economic interest with the Board. The constitutional offices are governor, lieutenant governor, attorney general, secretary of state, and state auditor. The legislative offices are state senator and state representative.

What are the requirements for local officials?

Local officials in metropolitan governmental units also are required to file statements of economic interest. Local officials, however, file their statements with the governing body of their metropolitan governmental unit.

A metropolitan governmental unit means any of the following entities:

- the counties of Anoka; Carver; Dakota; Hennepin; Ramsey; Scott; and Washington;
- a regional rail authority established by one of the above counties;
- a city with a population over 50,000 located in one of the above counties;
- the Metropolitan Council; or
- the Metropolitan Parks and Open Space Commission and Metropolitan Airports Commission.

A local official is someone who

- holds elective office in one of the counties or cities listed above; or
- is appointed to or employed by one of the entities listed above and has the authority to make, recommend, or vote on major decisions regarding the use of public money.

The positions listed for the following entities, however, are public officials instead of local officials because these positions are on the list of public officials in Chapter 10A:

- Counties - commissioners;
- Metropolitan Council – members, regional administrator, division director, general counsel, and operations manager;
- Metropolitan Parks and Open Space Commission – members and chief administrator;
- Metropolitan Airports Commission – members and chief administrator;

If you fill one of the listed positions on a part-time or acting basis, you are a local official.

A [complete list](#) of the positions that qualify as local officials is available on the Board's website.

What is a statement of economic interest?

A statement of economic interest is a form that public and local officials use to disclose information about their personal financial interests. The form has sections for information about your occupation, employer, and sources of compensation. It also has sections to disclose information about your interests in securities, real property, and the horse racing industry.

All information reported on a statement of economic interest is public. The Board posts some of the information on a public official's statement of economic interest on its website. Metropolitan governmental units may post some of the information on a local official's statement of economic interest on their websites.

When does your statement of economic interest need to be filed?

The deadline for filing a statement of economic interest varies depending on the position.

Although they are not yet public or local officials, candidates for elective constitutional or legislative office or for elective office in a metropolitan governmental unit other than county commissioner must file a statement of economic interest within 14 days after filing for office.

A public official whose appointment requires confirmation by the senate must file a statement of economic interest within 14 days of undertaking the duties of the office.

All other public and local officials must file a statement of economic interest within 60 days of accepting employment or assuming the duties of a position.

How do you complete the section for address, occupation, and employer?

There are two places for addresses on the first page of the statement of economic interest form. The address box on the left of the form is for the public or local official's address. You can list your home address in this box but you are not required to do so. You also can list your business address or the

address of the agency for which you serve as a public or local official. The address listed on the left side of the form is where the Board will send you information, so it's important that you can receive mail at this address.

The address box on the right side of the first page of the form is for your business address. Although all information on the statement of economic interest is public, the Board will post only your business address on its website.

Your occupation is your usual job. For some people, their usual job is the same as their public or local official position. For example, the commissioner of a state agency typically will write the word "commissioner" in the occupation box. But many public and local officials have other jobs that are their main employment. You should list your main employment as your occupation. If you are retired, a student, a homemaker, or unemployed, you can list that category as your occupation and leave the box for the employer's name empty.

If you are self-employed, you should write "self-employed" in the employer box and give the main address where you conduct your business.

What is an associated business?

On the statement of economic interest, both the section for sources of compensation and the section for securities ask for information about your interests in an associated business. An associated business is one of the types of entities listed in column A

- from which you received more than \$250 in a month for your services in one of the positions listed in column B, or
- in which you own any of the securities listed in Column C that have a fair market value of more than \$10,000.

Column A – Entities

Association (this is two or more people, not all from the same immediate family, acting together)
Corporation
Partnership
Limited liability company
Limited liability partnership
Other organized legal entity (including a trust)

Column B – Positions

Director
Officer
Owner
Member
Partner
Employer
Employee

Column C – Securities

Stocks
Shares
Bonds
Warrants
Options
Annuities
Pledges
Notes
Mortgages
Debentures
Leases
Commercial paper

In other words, you need a type of entity that's listed in Column A **plus** one of the positions in Column B **or** ownership of one of the things in Column C before the interest qualifies as an interest in an associated business.

On your first statement of economic interest, to determine if you reached the \$250 income threshold or the \$10,000 securities threshold, you look at the calendar month before the month in which you became a public or local official. On later statements, you have an interest in an associated business if you reached the income or securities threshold in any month during the reporting period.

The date on which you became a public or local official is the effective date of your appointment to the position.

How do you complete the section on sources of compensation?

The sources of compensation section is where you report information about the associated businesses that paid you money for your services. You report information about the associated business in which you own securities in the next section on the statement.

In the sources of compensation section, you list the name of any type of entity listed in Column A above that paid you more than \$250 in a month for your services in one of the positions in Column B. For each associated business, you must check the box or boxes on the form showing your relationship with that associated business.

If your employer is one of the types of entities listed in Column A, you would list your employer in the sources of compensation section and check the employee box for this line. On your first statement of economic interest, to determine if you met the \$250 income threshold, look at the calendar month before the month in which you became a public or local official. This means, even if it is now your main occupation, your new public official position should not be listed as a source of compensation on your first statement. On later statements of economic interest, you would report the income if you reached the \$250 threshold in any month during the reporting period.

On annual statements of economic interest, you also must report any honorarium that you receive from any source that is more than \$250 in a month. In the online reporting system, you use the sources of compensation section to report these payments even when the source of the honorarium is not an associated business. On the paper form, there is a separate section for honoraria.

You are not required to report payments made to you for services you performed as an independent contractor in this section because independent contractor services are covered by the business or professional activity categories section on the statement. You also do not need to report social security payments, unemployment compensation, workers' compensation, pension benefits, insurance benefits, or income from rental property.

Example 1: You are self-employed and your business is organized as an S corporation. You are an officer of the corporation and an employee of the business. You receive more than \$250 in a month from your business for your services as an employee. The S corporation is an associated business because it is organized as one of the types of entities in Column A and you hold at least one of the positions in Column B. You should list your business as an associated business in the sources of compensation section and check the boxes for employee and officer.

If you own more than 25% of the business, you also will list its business or professional activity category in that section of the statement. Finally, if you own shares in the S Corporation that are worth \$10,000 or more, you also will list your business in the securities section of the statement of economic interest. The next two sections in the handbook give you more information about filling out the business or professional activity categories section and the securities section on the statement.

Example 2: You are self-employed but your business is not organized as any of the types of entities listed in Column A. You receive more than \$250 in a month from your business for your services as an employee. Because your business is not one of the types of entities listed in Column A, your business would not be an associated business. You would not report it in the sources of compensation section. If you own more than 25% of the business, however, you would list the business or professional activity category for your business in the business or professional activity section on the statement.

How do you complete the section on business or professional activity categories?

If you are filing your statement online, the business or professional activity categories section is where you list the following information:

- 1) The business or professional activity category of each business from which you received more than \$250 in any month as an employee if you also own 25% or more of that business; and
- 2) Each business or professional activity category in which you worked as an independent contractor, if you received compensation of more than \$2,500 in the past 12 months for work in that category.

For independent contracting income, choose the category that best describes the nature of the work you performed, not the category that describes the main function of the business or businesses for whom you worked. For example, if you were contracted by Target for graphic design work, you'd enter "Professional, Scientific, & Technical Services (Specialized Design Services)" not "Retail – General Merchandise Stores".

On the paper form, this information is divided into two sections, business ownership and independent contracting.

If you do not own more than 25% of a business or work as an independent contractor, leave this section blank.

The business and professional activity categories are available at the end of this handbook and on the Board's website. You may abbreviate a word in a category as long as the abbreviation sufficiently identifies the category that you are reporting.

How do you complete the section on securities?

The securities section is where you report the names of associated businesses in which you own securities. A complete definition of associated business is contained in a previous section of this handbook. Briefly, for purposes of the securities section, an associated business is one of the following types of entities in which you own securities that have a fair market value of more than \$10,000:

- An association (this is two or more people, not all from the same immediate family, acting together);
- A corporation;
- A partnership;
- A limited liability company;
- A limited liability partnership or
- A trust.

For your first statement of economic interest, to determine if the value of your securities in an associated business reached the \$10,000 threshold, look at the calendar month before the month in which you became a public or local official. On later statements of economic interest, you should report securities that had a fair market value of more than \$10,000 in any month during the reporting period.

Securities include the following things:

- Stocks;
- Shares;
- Bonds issued by a non-governmental entity;
- Warrants;
- Options;
- Annuities;
- Pledges;
- Notes;
- Mortgages;
- Debentures;
- Leases; and
- Commercial paper

IRAs, deferred compensation plans, 401(k) accounts, or other similar accounts are not themselves securities. However, investments held through these accounts may be securities and must be considered while completing the statement. To determine what to report, obtain an itemized listing of the investments held through your account. Then determine which individual investment items, if any, meet the above definition of security, and the \$10,000 threshold, and list those items on the statement.

The following things are not securities:

- Shares of mutual funds;
- Shares of exchange-traded funds;
- Bonds issued by a governmental entity;
- Deposits in a savings account;
- Certificates of deposit;
- Money market certificates;
- Treasury bills;
- Dividends; and
- Holdings in a defined benefit pension plan.

In the securities section, you report only the name of the entity whose securities you own. You do not report the value of the securities that you own. If you bought or sold the securities during the reporting period, you can include the date of that transaction but you are not required to list any dates.

You must report the actual name of the entity, not the symbol that the entity uses for its stock on an exchange. For example, if you own securities in Target Corporation, you must list the name “Target Corporation” on your statement, not the symbol “TGT” that the company uses on the stock exchange.

Example: Through your IRA, you own stock in five corporations and shares in one mutual fund. The fair market value of the mutual fund shares and the stock in each of two of the corporations is more than \$10,000.

The corporations are entities that can be associated businesses. But because your securities are worth more than \$10,000 in only two of the corporations, you would only list the names of those two corporations. You would not list the names of the corporations in which your shares are worth \$10,000 or less or the name of the mutual fund or the IRA

How do you complete the section on real property?

The real property section is where you report information about land in Minnesota in which you own, either personally or in partnership, one of the following interests:

- A fee simple interest (you own the property, even if you’re paying a mortgage);
- A mortgage held as a seller;
- A contract for deed held as a buyer or a seller;
- An option to buy, either direct or indirect, if your interest in the option agreement is valued at more than \$2,500; or
- An option to buy if the property has a fair market value of more than \$50,000.

You do not have to list property which you claim as a homestead.

For your first statement of economic interest, you list property that you owned during the calendar month before the month in which you became a public or local official. On later statements of economic interest, you must list property that you owned in any month during the reporting period.

If you bought or sold the property during the reporting period, you can list the date of that transaction but you are not required to include any dates.

You must report the county in which the property is located. If the property has a street address, you must report that address on the statement. If the property does not have a street address, you must list the section, township and range of the property or its lot, block, and addition. You must list the acreage for any property that does not have a street address.

You must check the box that describes the type of interest that you have in the property. You do not have to describe the type of property (for example; cabin or condominium). If you own a second home and you have a good reason for not disclosing the location of this property, the Board can give you permission to omit the address of this property from your statement of economic interest. You must ask the Board for this waiver in writing.

How do you complete the section on pari-mutuel horse racing?

The pari-mutuel section is where you report any interest that you or an immediate family member has in property connected with horse racing in the United States and Canada. You must report both direct and indirect interests and partial interests. If the interest was bought or sold during the reporting period, you can list the date of this transaction but you are not required to list any dates.

How do you file your first statement of economic interest?

If you are a public official, you can use the [online reporting system](#) located on the Board's website to file your first statement of economic interest with the Board. The Board will mail you a one-time username and password for the online system after receiving notice that you are a public official. You can use these temporary credentials to create your own account for the online reporting system.

If you do not want to use the Board's electronic system to file your statement, you must use a paper form. The [paper form](#) is available on the Board's website. You can file the form in person or by mail, fax, or email.

After you have submitted your first statement of economic interest, you will be able to update your statement using the Board's [online reporting system](#).

If you are a local official, you must check with your metropolitan governmental unit to find out how to file your statements of economic interest.

When do you update your statement of economic interest?

You must review and recertify your statement of economic interest every year even if nothing has changed. This review must be completed between January 1st and the last Monday in January and covers the previous calendar year.

If you are a public official, you can use the [online reporting system](#) located on the Board's website to update your statement. Shortly before the annual update, or recertification, is due, the Board will send you a letter with instructions for completing the filing. This mailing usually is done in late December. You will be able to use the online system to review your information, to make any necessary changes, and to certify that your information is correct.

If you are a local official, you must check with your metropolitan governmental unit to find out how to update your statement of economic interest.

How do you fix mistakes on a statement of economic interest?

If you are a public official and you need to correct information on your statement or add something to the statement, you can make the correction or addition using the Board's [online reporting system](#). If you need to delete information, please contact the Board for further assistance.

You also can submit corrections to the Board using the [paper statement of economic interest](#). You should indicate on the form what is being changed from the previous statement.

If you are a local official, you must check with your metropolitan governmental unit to find out how to fix mistakes on your statement of economic interest.

What happens when you stop being a public or local official?

When your term as a public or local official ends, the entity on which you serve will send a notice to the Board that you no longer are a public or local official. You must review and recertify your statement of economic interest by the last Monday in January of the year after the date that you stopped being a public or local official. You do not have to wait until January, however, to update your statement. Instead, it is recommended that you update your statement as soon as possible after leaving your position.

Sometimes, government entities do not promptly notify the Board that you no longer are a public or local official. You can always contact the Board yourself to let staff know that you no longer are a public or local official.

What penalties apply if you don't follow the laws for statements of economic interest?

If you do not file a statement of economic interest by the applicable due date, the Board can charge a late fee of \$5 per day up to a maximum of \$100. The Board can charge an additional penalty of up to \$1,000 for not filing a statement after the Board has sent notice that your statement is overdue.

If you certify that the information on a statement of economic interest is true when you know that the statement contains false information or omits required information, the Board can impose a civil penalty of up to \$3,000.

Signing a statement of economic interest knowing that it contains false information or omits required information also can be criminally prosecuted. For these violations, the Board could refer the matter to the Minnesota Attorney General or to a county attorney. The attorney general or the county attorney would decide whether the matter should be charged as a crime. The Board itself does not charge or prosecute criminal matters.

Filing other notices related to your official activities

Overview

This chapter tells you about the other notices that public and local officials must file and when those notices are due. District court judges, appeals court judges, and supreme court justices are not required to file these notices.

Topics covered

[What is a potential conflict of interest notice and when is it due?](#)

[What is a notice of inability to abstain from potential conflict of interest and when is it due?](#)

[What is a representation disclosure notice and when is it due?](#)

[What penalties apply if you don't follow the laws governing these notices?](#)

What is a potential conflict of interest notice and when is it due?

Public and local officials can face situations where carrying out their public duties could affect their private financial interests. In some of these situations, the law requires public and local officials, except for district court judges, appeals court judges, and supreme court justices, to disclose this potential conflict of interest. The form used for this disclosure is called a [potential conflict of interest notice](#). It is available on the Board's website.

Specifically, you must complete the potential conflict of interest notice when, in the discharge of your official duties, you would be required to take an action or make a decision that would substantially affect your financial interests or those of an associated business.

You do not have to complete the notice if the effect on you is no greater than the effect on other members of your business classification, profession, or occupation.

Also, a local official does not have to complete the notice if the pending matter involves an interest in contract governed by Minnesota Statutes sections 471.87 and 471.88.

You must file the notice before the action or decision involving the potential conflict of interest takes place.

You must provide the following information on the potential conflict of interest notice:

- Your name;
- Your address;
- The position that you hold;
- The name of the public entity where you serve as an official;

- The name of your immediate supervisor (if you are a legislator or a member of the governing body of a metropolitan governmental unit, you list the name of the presiding officer of your body of service in this box);
- The date when the action or decision occurred or will occur;
- A description of the matter requiring action or decision; and
- The nature of the potential conflict.

You also must sign the notice. Your signature certifies that the information provided on the notice is accurate.

All information on the notice is public.

You must deliver the completed notice to your immediate supervisor. If you are a legislator, you must deliver the notice to the presiding officer of your legislative body. If you are a member of the governing body of a metropolitan governmental unit, you must deliver the notice to the presiding officer of your governing body.

If there is not time to prepare the notice, you must orally tell your immediate supervisor about the potential conflict. Legislators and members of metropolitan unit governing bodies must orally tell the presiding officer of their bodies of service about the potential conflict.

What happens after you give notice of the potential conflict depends on your position. If you are not a legislator or a member of the governing body of a metropolitan governmental unit, one of the following things must happen:

- Your supervisor must assign the matter, if possible, to another employee who does not have a potential conflict of interest; or
- If you have no immediate superior, you must abstain, if possible, from having influence over the action or decision in question.

If you are a legislator or a member of the governing body of a metropolitan governmental unit, your legislative or governing body, at your request, may excuse you from taking part in the action or decision in question.

If you are not permitted or are not able to abstain from action or decision in connection with the matter, you must file a notice of inability to abstain from potential conflict of interest.

What is a notice of inability to abstain from potential conflict of interest and when is it due?

When public and local officials have a potential conflict of interest between their public duties and their private financial interests, the law requires them to try to abstain from the action or decision that is creating the potential conflict. In some cases, however, such as when a legislator is not excused from voting on an issue, the official cannot abstain from the matter. In these situations, the official must file [a notice of inability to abstain from potential conflict of interest](#).

This requirement does not apply to district court judges, appeals court judges, or supreme court justices.

If you are required to file a notice of inability to abstain from potential conflict of interest, you must provide the following information on the notice:

- Your name;
- Your address;
- The position that you hold;
- The name of the public entity where you serve as an official;
- The name of your immediate supervisor (if you are a legislator or a member of the governing body of a metropolitan governmental unit, you list the name of the presiding officer of your body of service in this box);
- The date when the action or decision occurred or will occur;
- A description of the matter requiring action or decision;
- The nature of the potential conflict; and
- A description of the action that you took on the matter.

You also must sign the notice. Your signature certifies that the information provided on the notice is accurate.

All information on the notice is public.

The notice must be filed within one week of the date that the action was taken.

Local officials file the notice with the governing body of their metropolitan governmental unit. Public officials file the notice with the Board. You can file the notice with the Board in person or by mail, fax, or email.

What is a representation disclosure notice and when is it due?

If you are a public official, you must file a [representation disclosure notice](#) with the Board when you represent a client for a fee in a rulemaking or contested case hearing that is held in front of an individual, board, commission, or agency that has rulemaking authority.

You must provide the following information on the representation disclosure notice:

- Your name;
- Your address;
- The position that you hold;
- The name of the public entity where you serve as an official;
- The name and address of the client represented;
- The name of the agency that held the hearing;

- The date and location of your first appearance; and
- A general description of the subjects on which you represented the client.

You also must sign the notice. Your signature certifies that the information provided on the notice is accurate.

You must file the notice with the Board within 14 days after the date of the appearance. You can file the notice in person or by mail, fax, or email.

What penalties apply if you don't follow the laws governing these notices?

If you do not file a representation disclosure notice by the due date, the Board can charge a late fee of \$25 per day up to a maximum of \$1,000 starting on the day after the disclosure notice was due. If you do not file a representation disclosure notice within seven days after the Board notifies you that one is due, the Board can impose a civil penalty of up to \$1,000

If you certify that the information on any of the notices in this section is true when you know that the document contains false information or omits required information, the Board can impose a civil penalty of up to \$3,000. Signing one of the notices in this section when you know that it contains false information or omits required information also can be criminally prosecuted.

Gifts and contributions

Overview

This section tells you about the ban on gifts from lobbyists and principals to public and local officials.

Topics covered

[What is the ban on gifts from lobbyists and principals to public and local officials?](#)

[What is a political contribution?](#)

[What penalties apply to gifts that don't follow the rules?](#)

What is the ban on gifts from lobbyists and principals to public and local officials?

A lobbyist or a principal may not give a gift to a public or local official or ask someone else to give a gift to one of these officials.

The gift ban applies to all judges and justices and to all county commissioners.

A gift is anything given to an official when the lobbyist or principal does not receive consideration of equal or greater value in return. The following things can be gifts:

- money;
- real or personal property;
- a service;
- loans, paying a loan, or forgiving or not collecting a loan;
- a promise of future employment;
- meals or entertainment;
- loans of personal property for less than payment of fair market value;
- giving preferential treatment for purchases; and
- honoraria.

There are some exceptions to the ban on gifts. The gift ban does not apply to the following things unless they are prohibited by some other law:

- Political contributions;
- Services to help an official in the performance of official duties, including providing advice, consultation, information, and communication in connection with legislation, and services to constituents;
- Services of insignificant monetary value;
- A plaque with a resale value of \$5 or less;
- A trinket or memento costing \$5 or less;
- Informational material with a resale value of \$5 or less;

- Food or beverage given at a reception, meal, or meeting away from the recipient's workplace by an organization before whom the recipient appears to make a speech or answer questions as part of a program; or
- Food or beverage given at a reception, meal, or meeting if the recipient is a member or employee of the legislature and all legislators were invited to the event at least five days before the event.

The gift ban also does not apply if the gift is given

- because of the official's membership in a group, a majority of whose members are not officials, provided that an equivalent gift is given to the other members of the group; or
- by a lobbyist or principal who is a member of the official's family, unless the gift is given on behalf of someone who is not a member of the official's family.

Lobbyists and principals must keep records of all gifts given to public and local officials. Lobbyists report these gifts on their lobbying disbursement reports.

The Board has an extensive [gift ban guide](#) available on its website.

What is a political contribution?

A political contribution is anything given to a candidate's campaign committee. The contribution can be money or a loan. A contribution also can be a thing or a service. Political contributions are reported on the candidate's campaign finance reports.

What penalties apply to gifts and contributions that don't follow the rules?

There are no statutory penalties for gifts that do not follow the rules. In the case of a prohibited gift, however, the Board may order the recipient to return the gift or to pay for it. There are various penalties for contributions that do not follow the rules. The contribution penalties are described in detail in the candidate handbooks.

Getting help

Overview

This chapter tells you how to get help from the Board.

Topics covered

[What is the role of advisory opinions?](#)

[Complaints](#)

[Who do you contact for help?](#)

What is the role of advisory opinions?

The Board on occasion issues advisory opinions that provide the Board's interpretation of a statutory provision. Over the years, the Board has issued over 400 [advisory opinions](#) which can be reviewed and searched on the Board website. If you have a question about an advisory opinion, or wish to discuss the process for requesting an opinion from the Board, contact Board staff.

Complaints

The Board enforces the economic interest disclosure laws by reviewing reports that people file with it. Of course, not all problems with conflicts of interest show up on filed reports. If you have reason to believe that a public or local official is not reporting accurately to the Board, or in some other way has broken the conflict of interest laws, you can file a complaint with the Board. If the complaint is about an activity under the Board's jurisdiction, and evidence is provided to show that the complaint has a reasonable basis, the Board will investigate. The information concerning the complaint is private until the Board publishes its decision.

Who do you contact for help?

At the beginning of this handbook, we told you that we wouldn't try to answer every possible question you might have. We encourage you to call or e-mail the Board for help. We want your experience with the Board to be successful, and Board staff will try their best to provide you with the information you need for that to happen.

For economic interest statement and reporting questions, please contact Board staff at (651) 539-1183 or cfb.eis@state.mn.us.

For advisory opinions, Board information, or gift prohibition questions, please contact Jeff Sigurdson, Executive Director; (651) 539-1189, jeff.sigurdson@state.mn.us

You may also contact the Board as follows:

By email at cf.board@state.mn.us

By telephone at (651) 539-1180 or toll free (800) 657-3889.

By TTY by calling (800) 627-3529 and asking for (651) 539-1180.

By fax to (651) 539-1196 or fax toll free (800) 357-4114.

By United States mail to: Campaign Finance & Public Disclosure Board
 190 Centennial Office Building
 658 Cedar Street
 St. Paul, Minnesota 55155-1603

Business and professional activity categories

Use these categories for the business or professional activity category section on page 2 of the statement of economic interest. If you need more information to decide which category to use, please see the chart on the Internal Revenue Service website at <https://www.irs.gov/instructions/i1040sc#idm139664458209024>.

Accommodation	Transportation (couriers and messengers)
Administrative and Support Services	Unclassified Establishments (unable to classify)
Agriculture, Forestry, Hunting, & Fishing	Utilities
Agriculture & Forestry Support Activities	Warehousing & Storage Facilities
Amusement, Gambling, & Recreation Industries	Waste Management & Remediation Services
Broadcasting (except Internet) & Telecommunications (including internet service providers)	Wholesale Trade – Merchant Wholesalers - Durable Goods
Construction of Buildings	Wholesale Trade – Merchant Wholesalers - Nondurable Goods
Construction - Heavy and Civil Engineering	Wholesale Electronic Markets and Agents & Brokers
Construction – Specialty Trade Contractors	
Credit Intermediation & Related Activities	
Data Processing Services (including internet publishing)	
Educational Services	
Food Services & Drinking Places	
Health Care - Ambulatory Health Care Services	
Health Care – Hospitals	
Health Care - Nursing & Residential Care Facilities	
Information (publishing industries except internet)	
Insurance Agents, Brokers, & Related Activities	
Manufacturing - Chemical	
Manufacturing - Food	
Manufacturing - Leather & Allied Product	
Manufacturing - Nonmetallic Mineral Product	
Manufacturing - Other	
Mining	
Motion Picture & Sound Recording	
Museums, Historical Sites, & Similar Institutions	
Performing Arts, Spectator Sports, & Related Industries	
Personal & Laundry Services	
Professional, Scientific, & Technical Services (Architectural, Engineering, & Related Services)	
Professional, Scientific, & Technical Services (Computer Systems Design & Related Services)	
Professional, Scientific, & Technical Services (Legal, Accounting, Payroll, & Tax Preparation Services)	
Professional, Scientific, & Technical Services (Specialized Design Services)	
Professional, Scientific, & Technical Services (Other)	
Real Estate	
Religious, Grantmaking, Civic, Professional, & Similar Organizations	
Rental & Leasing Services	
Repair & Maintenance Services	
Retail - Building Material & Garden Equipment & Supplies Dealers	
Retail - Clothing & Accessories Stores	
Retail - Electronic & Appliance Stores	
Retail - Food & Beverage Stores	
Retail - Furniture & Home Furnishing Stores	
Retail - Gasoline Stations	
Retail - General Merchandise Stores	
Retail - Health & Personal Care Stores	
Retail - Motor Vehicle & Parts Dealers	
Retail - Sporting Goods, Hobby, Book, & Music Stores	
Retail - Miscellaneous Store Retailers	
Retail - Nonstore Retailers	
Securities, Commodity Contracts, & Other Financial Investments & Related Activities	
Social Assistance	
Transportation	