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Authors: Peterson, S. and others

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Analyst: Matt Gehring, 651-296-5052

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Overview

As a result of *Riley v. Jankowski* (713 N.W.2d 379 (Minn. App. 2006)), the campaign disclaimer requirements in 211B.04 are currently unenforceable. This bill attempts to remedy flaws in section 211B.04 that led to the section being declared unconstitutional as violative of the First Amendment. The bill amends 211B.04 to add a description of the purposes of the campaign material source-disclosure requirement, and also exempts from the requirement certain individuals and associations that act independently and with their own resources.

Section

1 Subd. 1. **Purpose of disclaimer requirement.** Creates four explicit legislative purposes for requiring disclaimers on campaign material: (1) avoiding the appearance of corruption; (2) promoting justice and fair play in campaigns; (3) providing voters with information about the source of campaign material; and (4) creating accountability for those who disseminate false campaign material.

Subd. 2. **Disclaimer requirement.** Exempts from the disclaimer requirement individuals or associations that act independently of a candidate, candidate's committee, political committee, or a political fund, and that spend the individual's or association's own resources on campaign materials, so long as the materials do not violate the false political and campaign material prohibitions in section 211B.06.

Effective Date. The bill would be effective upon enactment.