

State of Minnesota
Campaign Finance and Public Disclosure Board
Suite 190, Centennial Building. 658 Cedar Street. St. Paul, MN 55155-1603

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Issued to: Thomas S. Bottern
Secretary of the Senate
231 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155

ADVISORY OPINION 469

SUMMARY

A lobbyist principal may provide mental health training to legislators and legislative staff as a service to assist officials in the performance of official duties without violating the gift prohibition.

FACTS

On behalf of the Minnesota Senate, you request an advisory opinion from the Campaign Finance and Public Disclosure Board based on the following facts.

1. On June 14, 2025, a gunman assassinated Representative Melissa Hortman and Mark Hortman, and attempted to assassinate Senator Hoffman and his wife and daughter. That same night the gunman also attempted attacks on the homes of two other legislators.
2. As a result of these attacks, legislators and legislative staff have experienced trauma and anxiety in their personal and professional lives. In many instances, this has affected the ability of legislators and staff to feel safe in their workspace, and to be as productive at work as they were prior to the events of June 14th.
3. A nonprofit organization that focuses on mental health education and support has approached the Minnesota Senate and offered to provide guided group sessions to assist legislators and staff to deal with the trauma and anxiety they have experienced.
4. The nonprofit organization is a lobbyist principal, and therefore is generally prohibited from providing gifts to public officials, including legislators and legislative staff.
5. The nonprofit organization has two pre-established group sessions that it would offer to all legislators and staff who wish to attend. The sessions are typically two hours in length, but may be shortened when provided to legislators and staff. A limited number of

sessions would be offered on a set schedule and would cover a specific mental wellness topic. The sessions would include an educational lesson, an open group discussion, and an art activity. The goals of the sessions are to build emotional resilience, practice mindfulness, teach grounding strategies, manage worries, and radical acceptance. No food or beverages would be provided at the sessions.

6. The nonprofit does not charge a fee for providing these types of trainings, but does typically request an honorarium to be paid to help defray the costs of providing the training. The nonprofit will provide the training regardless of whether the organization that is receiving the training pays an honorarium, and regardless of the amount of the honorarium that is paid.
7. In this instance, the nonprofit is not requesting an honorarium, the Senate will not pay an honorarium, and the sessions will be offered free of charge to legislators and staff who attend.
8. The requestor is aware that the Board has previously issued three advisory opinions¹ that provided that a lobbyist principal may provide an educational program or training to legislators if the program or training will assist the legislators in the performance of their official duties. The requestor believes that the principle of allowing a gift if it supports legislative duties applies to the training on mental health.

Issue One

Are the guided group sessions provided by the nonprofit organization a gift as provided in Minnesota Statutes section 10A.071?

Opinion One

Yes. Minnesota Statutes section 10A.071, subdivision 1, paragraph (b), defines a gift to include:

...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 with the giver receiving consideration of equal or greater value in return.

The mental health sessions described in this advisory opinion constitute a service to the officials that attend the sessions. The mental health sessions would be provided without consideration of at least equal value from the legislators and staff who attend. A service provided without charge by a lobbyist principal to legislators and staff is a gift under this statute.

Issue Two

¹ The Board determined that certain training sessions offered by lobbyist principals to all legislators did not violate the gift prohibition in Advisory Opinions [364](#), [372](#), and [380](#), because the training was intended to assist legislators in the performance of official duties.

If the sessions are a gift, may the gift be accepted under one or more of the exceptions to the general prohibition on gifts from lobbyist principals to officials?

Opinion Two

Yes. Minnesota Statutes section 10A.071 generally prohibits lobbyists and lobbyist principals from providing gifts to public officials. However, the statute also provides for a series of exceptions to the general prohibition. The exception that applies to this set of facts is provided in Minnesota Statutes section 10A.071, subdivision 3, paragraph (a), clause (2), which includes:

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;

As described in this request, the training is a service provided to help legislators and staff manage the anxiety and trauma created by the attacks. The training will help legislators and staff feel safe in the workplace, and improve their ability to focus on work. The training falls within this exception to the gift prohibition as it will assist legislators and staff be more productive while performing their official duties.

When providing advisory opinions on the gift prohibition, the Board applies exceptions narrowly. This approach preserves the statute's intent to prevent undue influence and to protect the public's expectation that an allowable gift does not call into question the integrity of the official receiving the gift. Here, the training is offered to all members of the legislature and all staff, which makes it unlikely that the intent of the training is to gain improper influence with any particular official. It is also not likely that the public will view mental health training sessions to help legislators and staff feel safe at work and focus on carrying out their duties as public officials as a gift that corrupts the legislature.

Issued: September 17, 2025



Faris Rashid, Chair
Campaign Finance and Public Disclosure Board