

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF JAKOB INGALLS REGARDING THE COMMITTEE TO ELECT JOSH HEINTZEMAN

On September 16, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Jakob Ingalls regarding Representative Joshua Heintzeman, a candidate for Minnesota House of Representatives District 6B. The Committee to Elect Josh Heintzeman is the principal campaign committee of Representative Heintzeman.

The complaint alleges a violation of Minnesota Statutes section 211B.04, which regulates the use of disclaimers on campaign material. The complaint alleges that the committee's Facebook page¹ "lacks a proper disclaimer as it only states, 'Prepared and paid for by the Committee to Elect Josh Heintzeman Candidate for State Representative'." The complaint alleges that the Facebook page was created on or about July 21, 2024. The complaint includes a screenshot of the Facebook page with the partial disclaimer quoted above. The portion of the Facebook page depicted in the screenshot does not appear to include the Heintzeman committee's mailing address or website address.

Determination

Minnesota Statutes section 211B.04 generally requires principal campaign committees to include on their campaign material a disclaimer substantially in the form provided in Minnesota Statutes section 211B.04, subdivision 1. With the exception of broadcast media, campaign material must include a disclaimer in the following format: Prepared and paid for by the [committee name], [address]. "The address must be either the committee's mailing address or the committee's website, if the website includes the committee's mailing address." Minn. Stat. § 211B.04, subd. 1.

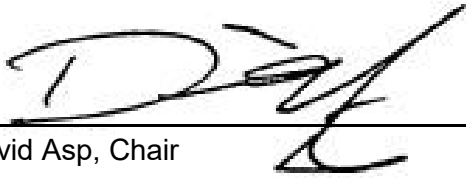
The complaint alleges and provides evidence that the Heintzeman committee prepared or disseminated campaign material with a disclaimer that did not include the committee's address. The chair therefore concludes that the complaint states a prima facie violation of Minnesota Statutes section 211B.04.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by a single Board member and not by any vote of the entire Board. This prima facie determination does not mean that the Board has commenced, or will commence an investigation or has made any determination of a violation by any of the individuals or entities named in the complaint.

¹ [facebook.com/profile.php?id=61563070770280](https://www.facebook.com/profile.php?id=61563070770280)

Pursuant to Minnesota Statutes section 10A.022, subdivision 3 (d), within 60 days of the date of this determination, the Board will make findings and conclusions as to whether probable cause exists to believe that a violation of Minnesota Statutes section 211B.04 has occurred and warrants a formal investigation. The complainant and the respondent named in this prima facie determination will be given an opportunity to be heard by the Board prior to any decision on probable cause.

Until the Board makes a public finding or enters into a conciliation agreement, this matter is subject to the confidentiality requirements of Minnesota Statutes section 10A.022, subdivision 5.

A handwritten signature in black ink, appearing to read 'D. Asp', written over a horizontal line.

David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: September 27, 2024