

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF TROY SCHEFFLER REGARDING REPRESENTATIVE JOSHUA HEINTZEMAN AND THE COMMITTEE TO ELECT JOSH HEINTZEMAN

On September 29, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Troy Scheffler 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.¹

The complaint alleges that the Heintzeman committee violated Minnesota Statutes section 211B.12 by using campaign funds to pay for legal expenses related to a defamation lawsuit captioned *Scheffler v. Franzen, et al.*, 18-CV-22-3881, in which Representative Heintzeman was a defendant. The complaint alleges that the Heintzeman committee violated Minnesota Rules 4503.0900, subpart 3, by not including information within its reports of receipts and expenditures sufficient to justify the classification of two expenses as noncampaign disbursements. Those expenses include a \$5,000 unpaid noncampaign disbursement dated July 31, 2024, described in part as legal services related to “Defending 2 OAH complaints regarding sign disclaimers”, and a \$5,000 unpaid noncampaign disbursement dated August 24, 2024, described in part as legal services related to “Defending 2 complaints to CFB relating to disclaimers on signs.” Each of those allegations have previously been addressed as the result of complaints filed with the Board in February and July of 2025.

The complaint alleges that the Heintzeman committee violated the party unit and dissolving principal campaign committee aggregate contribution limit. The complaint asserts that a \$14,892.50 expenditure paid by a party unit, the Republican Party of Minnesota, to CrossCastle PLLC, dated December 19, 2024, was a contribution to the Heintzeman committee.² Board records show that the Heintzeman committee did not report receiving a contribution from the Republican Party of Minnesota in 2023 or 2024, and the Republican Party of Minnesota did not report making a contribution to the Heintzeman committee in 2023 or 2024. The Republican Party of Minnesota reported that the expense was a general campaign expenditure, rather than an approved expenditure or other type of contribution to a candidate, and the only description provided for the expense within its amended 2024 year-end report is “Legal Services”. The complaint states that CrossCastle PLLC became involved in the defamation lawsuit captioned *Scheffler v. Franzen, et al.*, 18-CV-22-3881, in which Representative Heintzeman was a defendant, on December 10, 2024, and alleges that the \$14,892.50 expenditure was related to the defamation lawsuit.

¹ cfb.mn.gov/reports-and-data/viewers/campaign-finance/candidates/17782/

² The Republican Party of Minnesota’s amended 2024 year-end report is available at the following web address by selecting the Reports and data tab: cfb.mn.gov/reports-and-data/viewers/campaign-finance/party-unit/20008/.

The complaint alleges that the Heintzeman committee violated the individual contribution limit. The complaint references four noncampaign disbursements totaling \$29,000 reported by the Heintzeman committee that, as of the end of 2024, reportedly remained unpaid, and argues that those unpaid disbursements became in-kind contributions.

The complaint alleges commingling, a violation of contribution deposit requirements, and circumvention. Those allegations each appear to be based on the contention that the Heintzeman committee accepted in-kind contributions because it allowed various noncampaign disbursements to remain unpaid for more than 60 days. The complaint alleges a violation of the penalties for exceeding expenditure and contribution limits provided in Minnesota Statutes section 10A.28.

The complaint alleges that the Heintzeman committee's treasurer, Senator Keri Heintzeman, falsely certified reports filed with the Board. The complaint alleges, and Board records reflect, that the Heintzeman committee's first, second, and third amended 2024 year-end reports described three noncampaign disbursements totaling \$445 paid to the district court in Crow Wing County as being "related to 18-CV-2821 (First Amendment case)". That issue was addressed within a prima facie determination dated July 29, 2025, dismissing the complaint filed in July 2025.³ On August 4, 2025, the Heintzeman committee filed a fourth amended 2024 year-end report describing those disbursements as being "related to 18-CV-22-3881 (defamation case)".

The complaint alleges that the Heintzeman committee's amended 2024 year-end report was falsely certified as true because it did not include a \$14,892.50 in-kind contribution from the Republican Party of Minnesota, which the complaint alleges was comprised of payment to CrossCastle PLLC for expenses related to the defamation lawsuit.

The complaint alleges that the Heintzeman committee's amended 2024 year-end report was falsely certified as true because it includes a \$10,000 unpaid noncampaign disbursement dated August 8, 2024, for legal services described as being related to "18-CV-2821 (First Amendment case)". The complaint appears to argue that the amount owed by the Heintzeman committee to a law firm as of the end of 2024 related to a First Amendment lawsuit captioned *Zinda v. Heintzeman*, 18-CV-24-2821, could not have been \$10,000 because Representative Heintzeman's attorney sought an award of \$18,532.50 in attorney's fees in that lawsuit. Exhibit 7 of the complaint filed with the Board in July 2025 consists of a partial copy of the case details for that lawsuit, and reflects that the lawsuit extended into 2025.⁴ The complaint does not explain why the amount ultimately sought as an award of attorney's fees should have matched the amount that was owed by the Heintzeman committee as of the end of 2024.

³ cfb.mn.gov/pdf/bdactions/1725_Prima_Facie_Determination.pdf

⁴ cfb.mn.gov/pdf/bdactions/1725_Complaint.pdf

The complaint alleges that the Heintzeman committee's amended 2024 year-end report was falsely certified as true because it includes a \$9,000 unpaid noncampaign disbursement dated June 17, 2024, for legal services described as being related to "MN Supreme Court Petition (Case A24-1001) to remove Rep Heintzeman from the ballot." The complaint also alleges that the Heintzeman committee's 2024 year-end report was falsely certified as true because it includes a \$6,000 in-kind contribution from a political party unit, the HRCC, and a corresponding in-kind noncampaign disbursement dated July 24, 2024, described as "Portion of legal services for Case A24-1001 (ballot matter)". The complaint appears to argue that the Heintzeman committee could not have incurred a total of \$15,000 in legal expenses related to the petition filed with the Minnesota Supreme Court seeking to prevent Representative's Heintzeman's name from appearing on the ballot in 2024. The complaint states that the only work performed by Representative Heintzeman's attorney regarding that matter "amounted to a 15-page response to a petition" asserting the same argument made in a 2010 case, *Clark v. Reddick*, 791 N.W.2d 292 (Minn. 2010). The Heintzeman committee's reporting of the \$6,000 in-kind contribution and corresponding in-kind noncampaign disbursement and the \$9,000 unpaid noncampaign disbursement for legal services was addressed within a probable cause determination dated April 8, 2025,⁵ and within a memorandum issued on May 9, 2025,⁶ regarding the complaint filed in February 2025.

The complaint alleges a record keeping violation. The complaint argues that the record keeping statute "provides criminal penalties for accepting contributions through false statements or fraud." The complaint alleges that after a petition was filed seeking to prevent Representative's Heintzeman's name from appearing on the ballot in 2024, Representative Heintzeman solicited contributions "to help our campaign with legal costs" via a Facebook post on June 24, 2024.⁷ The complaint includes a screenshot of the Facebook post, which states that "contributions of \$75 are refundable under the political contribution refund program." The complaint argues that the solicitation was fraudulent because the Heintzeman committee contributed \$20,000 to the HRCC later in 2024 and had not paid \$29,000 in legal expenses it reportedly incurred as of the end of 2024.

The complaint asserts that Representative Heintzeman is the chair of the HRCC's steering committee, and thereby "Controls which law firms get paid", "Approves all HRCC expenditures", "Directs money to his own legal bills", and "Essentially approves payments to himself". The complaint alleges that Representative Heintzeman's attorney, R. Reid LeBeau II, has a conflict of interest because he "simultaneously serves as" an attorney for both the HRCC and Representative Heintzeman and is a lobbyist for the Minnesota Police & Peace Officers

⁵ cfb.mn.gov/pdf/bdactions/1711_Probable_Cause_Determination.pdf

⁶ cfb.mn.gov/pdf/bdactions/1711_Closing_Memo.pdf

⁷ facebook.com/josh.heintzeman/posts/pfbid02T8VjgCJyE18b69gjjSfZ2Xj7Fr64HPz8HP9Vr5nadtRa1kQcTRfmUryxJWhMjGnkl

Association (MPPOA),⁸ whose political fund made contributions to the HRCC and the Heintzeman committee in 2024⁹.

The complaint also alleges money laundering, wire fraud, extortion, racketeering, theft by swindle, perjury, and obstruction. The complaint demands that the Board conduct an audit involving the HRCC and the Republican Party of Minnesota, conduct an investigation, issue subpoenas, impose civil penalties, order disgorgement of funds, and impose a “Permanent ban from campaign finance activities”. The complaint also demands that the Board refer the matter to a United States Attorney’s office, the Minnesota Attorney General’s Office, Minnesota’s Office of Lawyers Professional Responsibility, the Federal Bureau of Investigation, and the Internal Revenue Service.

Determination

Previously dismissed allegations

To the extent that the complaint reasserts allegations that were dismissed within a prima facie determination issued on February 21, 2025,¹⁰ including alleged violations of Minnesota Statutes sections 10A.07, 10A.11, subdivision 5, 10A.18, 10A.20, subdivision 3, 10A.29, 211A.07, and 211B.12, those allegations are again dismissed for the reasons stated therein. To the extent that the complaint reasserts allegations that were dismissed within a probable cause determination issued on April 8, 2025,¹¹ including alleged violations of Minnesota Statutes section 211B.12, those allegations are again dismissed for the reasons stated therein. To the extent that the complaint reasserts allegations that were determined to have been remedied by the filing of an amended 2024 year-end report within a memorandum issued on May 9, 2025,¹² including alleged violations of Minnesota Rules 4503.0900, subpart 3, those allegations are again dismissed for the reasons stated therein. To the extent that the complaint reasserts allegations that were dismissed within a prima facie determination issued on July 29, 2025,¹³ including alleged violations of Minnesota Statutes sections 10A.025, subdivision 2, 10A.18, 10A.20, subdivision 3, 211B.12, and Minnesota Rules 4503.0900, subpart 3, those allegations are again dismissed for the reasons stated therein.

Party unit and dissolving principal campaign committee aggregate contribution limit

Minnesota Statutes section 10A.27, subdivision 2, imposes a limit of \$10,000 per two-year election cycle on the total amount of contributions that may be accepted by a candidate for state representative from political party units and dissolving principal campaign committees. The

⁸ cfb.mn.gov/reports-and-data/viewers/lobbying/lobbying-organizations/557/

⁹ The amended 2024 year-end report of the MPPOA’s political fund is available at the following web address by selecting the Reports and data tab: cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30288/.

¹⁰ cfb.mn.gov/pdf/bdactions/1711_Prima_Facie_Determination.pdf

¹¹ cfb.mn.gov/pdf/bdactions/1711_Probable_Cause_Determination.pdf

¹² cfb.mn.gov/pdf/bdactions/1711_Closing_Memo.pdf

¹³ cfb.mn.gov/pdf/bdactions/1725_Prima_Facie_Determination.pdf

complaint asserts that a \$14,892.50 expenditure paid by the Republican Party of Minnesota to a law firm was a contribution to the Heintzeman committee. The complaint alleges that the timing of the payment aligns with when the law firm allegedly became involved in the defamation lawsuit captioned *Scheffler v. Franzen, et al.*, 18-CV-22-3881, in which Representative Heintzeman was a defendant. Aside from the timing, the complaint does not include evidence linking the Republican Party of Minnesota's expenditure to the defamation lawsuit, Representative Heintzeman, or the Heintzeman committee. Speculation regarding the purpose of the \$14,892.50 expenditure would be necessary to conclude that the complaint states a prima facie violation of the \$10,000 aggregate limit. The complaint does not state a prima facie violation of Minnesota Statutes section 10A.27, subdivision 2, because the allegation is based on speculation unsupported by evidence.

Individual contribution limit

Minnesota Statutes section 10A.27, subdivision 1, imposes a limit of \$1,000 per two-year election cycle on the total amount of contributions that may be accepted by a candidate for state representative from any particular individual, political committee or fund, or association that is not registered with the Board. The complaint references \$29,000 in unpaid noncampaign disbursements and cites Minnesota Statutes sections 211A.07, 10A.20, subdivision 12, and 10A.01, subdivision 4, in support of the argument that "unpaid bills beyond 60 days become in-kind contributions." Minnesota Statutes section 10A.18 requires vendors to render bills within 60 days to entities that register and file reports with the Board, including principal campaign committees. However, none of those statutes require expenses to be paid within a certain period of time or provide that unpaid expenses become in-kind contributions after a certain period of time. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.27, subdivision 1.

Commingling

Minnesota Statutes section 10A.11, subdivision 5, provides that a principal campaign committee "may not commingle its funds with personal funds of officers, members, or associates of the committee." The complaint does not allege or provide evidence that any campaign funds of the Heintzeman committee were commingled with the personal funds of Representative Heintzeman or any other officer, member, or associate of the Heintzeman committee. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.11, subdivision 5.

Deposit requirements

Minnesota Statutes section 10A.15, subdivision 3, governs how quickly campaign contributions must be deposited, generally provides that contributions may not be deposited in an account other than a campaign committee's depository, provides that a campaign committee may refuse to accept a contribution, and provides that contributions may be returned within 90 days after deposit and are deemed accepted if not returned within that time period. The complaint does

not explain what aspect of the statute was allegedly violated, does not explain how in-kind contributions could result in a violation of the statute, and does not otherwise allege or include evidence of a violation of the deposit requirements. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.15, subdivision 3.

Circumvention

Minnesota Statutes section 10A.29 prohibits “redirecting a contribution through, or making a contribution on behalf of, another individual or association. . . .” The complaint does not explain why reporting expenses as unpaid noncampaign disbursements, rather than as in-kind contributions with corresponding in-kind expenses, constitutes circumvention. The complaint does not allege or include evidence that any individual or association redirected a contribution or made a contribution on behalf of another individual or association. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.29.

Penalties for exceeding limits

Minnesota Statutes section 10A.28 establishes the civil penalties that may be imposed by the Board for various types of violations of Minnesota Statutes Chapter 10A. It is not possible for a candidate or their principal campaign committee to violate that statute. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.28.

False certification

Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), provides that “An individual shall not sign and certify to be true a report or statement knowing it contains false information or knowing it omits required information.” The allegation regarding the purpose of three noncampaign disbursements totaling \$445 paid to the district court in Crow Wing County has previously been addressed and the complaint does not allege that the Heintzeman committee’s fourth amended 2024 year-end report, filed August 4, 2025, is inaccurate in describing the purpose of those noncampaign disbursements.

As discussed in more detail above, the allegation that the Heintzeman committee’s 2024 year-end report was falsely certified as true because the report does not include a \$14,892.50 in-kind contribution from the Republican Party of Minnesota is based on speculation regarding the purpose of an expenditure that is unsupported by evidence. The allegation that the Heintzeman committee’s 2024 year-end report was falsely certified as true because the report states that the committee owed \$10,000 as of the end of 2024 for legal services related to the First Amendment lawsuit captioned *Zinda v. Heintzeman*, 18-CV-24-2821, rather than the amount ultimately sought as an award of attorney’s fees in that lawsuit, which extended into 2025, is unfounded because the complaint does not explain why the amount sought should have matched the amount that was owed as of the end of 2024.

The allegations regarding the amounts of the \$6,000 in-kind contribution from the HRCC and corresponding in-kind noncampaign disbursement, and the \$9,000 unpaid noncampaign disbursement, each related to legal expenses involving the petition seeking to prevent Representative Heintzeman's name from appearing on the ballot in 2024, have previously been addressed. The complaint does not include any evidence regarding the amounts of those noncampaign disbursements that was not considered previously.

Based on the foregoing analysis, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2.

Record keeping

Minnesota Statutes section 10A.025, subdivision 3, provides that a treasurer "must maintain records on the matters required to be reported, including vouchers, canceled checks, bills, invoices, worksheets, and receipts, that will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified, and checked for accuracy and completeness." Despite citing that statute, the complaint does not allege or include evidence that the Heintzeman committee failed to maintain the records it was required to maintain, and instead alleges that Representative Heintzeman solicited contributions under false pretenses. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 3.

Conflict of interest

Minnesota Statutes section 10A.07, subdivision 1, provides that certain actions must be taken if, "in the discharge of official duties", a "public official or a local official elected to or appointed by a metropolitan governmental unit . . . would be required to take an action or make a decision that would substantially affect the official's financial interests or those of an associated business, unless the effect on the official is no greater than on other members of the official's business classification, profession, or occupation. . . ." The complaint does not cite the conflict of interest statute but alleges that Representative Heintzeman's attorney, Mr. LeBeau, has a conflict of interest. The complaint does not allege or include evidence that Mr. LeBeau is a public official or a local official elected to or appointed by a metropolitan governmental unit. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.07 with respect to Mr. LeBeau. It is unclear whether the complaint alleges that Representative Heintzeman has a conflict of interest. Regardless, the conduct referenced in the complaint involves Representative Heintzeman's role as the alleged chair of the HRCC's steering committee, rather than the discharge of his official duties as a state representative. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.07 with respect to Representative Heintzeman.

Issues outside the Board's investigative authority

Minnesota Statutes section 10A.022, subdivision 3, authorizes the Board to investigate alleged or potential violations of Minnesota Statutes Chapter 10A, in addition to Minnesota Statutes sections 211B.04, 211B.12, and 211B.15. The complaint includes multiple allegations over which the Board lacks jurisdiction.

Conclusion

A person aggrieved by a decision of the Board regarding a complaint is generally entitled to judicial review under Minnesota Statutes section 14.63. The complainant has sought judicial review of decisions regarding complaints filed with the Board against Representative Heintzeman and the Heintzeman committee in September 2024, February 2025, and July 2025.¹⁴ When a complainant disagrees with determinations made by the Board and has standing to seek judicial review, the proper forum for that review is the Minnesota Court of Appeals.

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. The complaint is dismissed without prejudice.



Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: October 9, 2026

¹⁴ The Court of Appeals case numbers are A25-0632, A25-0853, and A25-1234.