



# MINNESOTA CAMPAIGN FINANCE BOARD

190 Centennial Office Building, 658 Cedar St, St Paul, MN 55155

cfb.mn.gov

## Statement of Electioneering Communications

This form is for unregistered associations and individuals only. Political committees and funds and party units registered with the Board that make a communication described in section 10A.201 must report the communication as a campaign expenditure or independent expenditure as otherwise provided by Chapter 10A and are not required to file this form.

### Instructions

**General instructions for completing the form start on page 2**  
**More information on what and how to report can be found on page 4**

- This form applies to any person, including an unregistered association, that has made electioneering communications, as defined in section 10A.201, totaling more than \$10,000 during any calendar year (see page 4).
- This statement shall be filed with the Board no later than 11:59 p.m. on the day following the disclosure date.
- All information on this statement is public information and may be published on the Board's website.
- This statement shall be filed under penalty of perjury and must contain the information requested below. A person who fails to file a required statement is subject to the late fees and penalties provided in section 10A.20, subdivision 12.
- This form may be filed by mail to the address above, by email to [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us), or by fax to 651-539-1196 or 800-357-4114.
  - **Fax filers:** Keep the original and a fax confirmation notice as proof of timely filing.
- Definitions on what to report can be found on page 4 of this form. If you have further questions, reach out to Board staff.
- Board staff may be reached by telephone at 651-539-1183 or 800-657-3889 or by email at [cfb.reports@state.mn.us](mailto:cfb.reports@state.mn.us).

### Name of the individual or organization reporting an Electioneering Communication.

Name of Individual or Association (individual filers must include any middle name):	Occupation (for individual filers only):
Mailing Address (for individuals) or Principal Place of Business (for other filers):	Name of Employer (for individual filers only):
City, State, and ZIP Code:	Telephone Number and/or Email Address (optional)

### Certification

I, \_\_\_\_\_, certify under penalty of perjury that this statement is complete, true, and correct. (Print or type name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Notice: Any person who signs and certifies to be true a statement which the person knows contains false information or omits required information is subject to a civil penalty imposed by the Board of up to \$3,000 and is subject to criminal prosecution for a gross misdemeanor.**

This document is available in alternative formats to individuals with disabilities through the Minnesota Relay Service at 800-627-3529.

### Covered Period

Please identify the period for which you are reporting: Total dollar amount of disbursements: \_\_\_\_\_

From: \_\_\_\_\_ through \_\_\_\_\_  
MM/DD/YYYY MM/DD/YYYY

### Individual(s) Sharing/Exercising Control

Please list any other individuals sharing or exercising direction or control over the activities of the person that made the disbursement or that executed a contract to make a disbursement:

Full Name (First, Middle, and Last)	Mailing Address	Occupation	Name of Employer

- If you need to add more, please fill out another copy of this page and submit it with your filing.

### Custodian of Records

Please identify the custodian of the books and accounts from which the disbursements were made.

Full Name (First, Middle, and Last):	Occupation:
Street Address:	Name of Employer:
City, State, and ZIP Code:	Telephone Number and/or Email address (optional):

## Disbursement and Candidate Information

Please list the amount of each disbursement, or amount obligated, of more than \$200 during the period covered by the statement for the direct costs of producing or airing the electioneering communications. Provide the vendor for each disbursement, the date the disbursement was made or the contract was executed, with the amount paid or the amount of the obligation incurred. Also list all clearly identified candidates for state office referred to in the electioneering communication, the elections in which they are candidates, and the disclosure date of the electioneering communication. (see the Definitions on page 4).

Name of Vendor	Street Address
City, State and Zip Code	Date of Disbursement or Contract Executed (MM/DD/YYYY):
Amount of Disbursement:	Disclosure Date (MM/DD/YYYY):
Candidate Name for state office:	<b>Office and District (check one) :</b> <input type="checkbox"/> MN House, District: _____ <input type="checkbox"/> Judicial Office (specify) _____ <input type="checkbox"/> MN Senate, District: _____ <input type="checkbox"/> Constitutional Office (specify) _____ <b>Election (check one):</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____
Candidate Name for state office:	<b>Office and District (check one) :</b> <input type="checkbox"/> MN House, District: _____ <input type="checkbox"/> Judicial Office (specify) _____ <input type="checkbox"/> MN Senate, District: _____ <input type="checkbox"/> Constitutional Office (specify) _____ <b>Election:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____
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Name of Vendor	Street Address
City, State and Zip Code	Date of Disbursement or Contract Executed (MM/DD/YYYY):
Amount of Disbursement:	Disclosure Date (MM/DD/YYYY):
Candidate Name for state office:	<b>Office and District (check one):</b> <input type="checkbox"/> MN House, District: _____ <input type="checkbox"/> Judicial Office (specify) _____ <input type="checkbox"/> MN Senate, District: _____ <input type="checkbox"/> Constitutional Office (specify) _____ <b>Election (check one):</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____
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- If you need to add more, please fill out another copy of this page and submit it with your filing.



## Definitions

### What is an electioneering communication?

An "electioneering communication" is a broadcast, cable, or satellite communication that clearly identifies a candidate for state office, is publicly distributed within 60 days before a general election for the office sought by the candidate, or within 30 days before a primary election, or a convention or caucus of a political party that has the authority to nominate a candidate, for the office sought by the candidate. The communication also must be targeted to the relevant electorate (see definition below).

A communication is not an electioneering communication if it appears in a news story, commentary, or editorial distributed through the facilities of any broadcast, cable or satellite television, or radio station, unless such facilities are owned or controlled by a political party, political committee, or candidate and the communication is not a news story that meets the requirements described in [Code of Federal Regulations, title 11, section 100.132 \(a\) and \(b\)](#). A communication is not an electioneering communication if it is publicly circulated through a means of communication other than a broadcast, cable, or satellite television or radio station, constitutes an expenditure or independent expenditure (see section 10A.01), constitutes a candidate debate or forum, solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum, or is paid for by a candidate for state office.

### What constitutes broadcast, cable, or satellite communication?

"Broadcast, cable, or satellite communication" is a communication that is publicly distributed by a television station, radio station, cable television system, or satellite system.

### What does publicly distributed mean?

"Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated through the facilities of a television station, radio station, cable television system, or satellite system.

### What does targeted to the relevant electorate mean?

A communication is "targeted to the relevant electorate" when it is receivable by 10,000 or more persons in the candidate's district, which includes the entire state if the candidate is seeking statewide office. If application of the following formulas results in a determination that a communication is receivable by 10,000 or more persons in the candidate's district, that results in a rebuttable presumption that may be overcome as described below.

If the communication is transmitted by FM radio and any portion of the candidate's district with a population of 10,000 or more lies within the radio station's or network's protected or primary service contour, the communication is presumably targeted to the relevant electorate. If the communication is transmitted by AM radio and any portion of the candidate's district with a population of 10,000 or more lies within the radio station or network's most outward service area, the communication is presumably targeted to the relevant electorate.

If the communication appears on a television broadcast station or network and any portion of the candidate's district with a population of 10,000 or more lies within the station's or network's Grade B broadcast contour, the communication is presumably targeted to the relevant electorate. If the population of the candidate's district that lies within the station's or network's Grade B broadcast contour, when combined with the viewership of that station or network by cable and satellite subscribers within the district but outside the broadcast contour, is 10,000 or more, the communication is presumably targeted to the relevant electorate.

If the communication appears exclusively on a cable or satellite television system and not on a broadcast station or network, and the viewership of the cable system or satellite system lying within the candidate's district is 10,000 or more, the communication is presumably targeted to the relevant electorate. If the communication appears on a cable television network and the total cable and satellite viewership within the candidate's district is 10,000 or more, the communication is presumably targeted to the relevant electorate.

To determine the viewership of a cable or satellite system, the number of subscribers within a district is multiplied by the average household size for Minnesota as determined by the U.S. Census Bureau (currently 2.46). A rebuttable presumption may be overcome by demonstrating that one or more cable or satellite systems did not carry the network on which the communication was publicly distributed at the time of distribution, and that applying the formula to any remaining cable and satellite systems results in a determination that the cable network or systems upon which the communication was publicly distributed could not be received by 10,000 individuals or more.

**What does “person” mean when reporting an electioneering communication?**

"Person" means an individual, an association, a political subdivision, or a public higher education system.

**What is the disclosure date?**

The "disclosure date" refers to the first date that an electioneering communication is publicly distributed after the person making the communication has made disbursements or executed contracts to make disbursements totaling more than \$10,000 within a calendar year for the direct costs of producing or airing electioneering communications. There will be a new disclosure date, and reporting obligation, each time that the \$10,000 threshold is exceeded and an electioneering communication is publicly distributed within the same calendar year.

**What are direct costs of producing or airing electioneering communications?**

"Direct costs of producing or airing electioneering communications" are costs charged by a vendor, including studio rental time, staff salaries, costs of video or audio recording media, and talent; and the cost of airtime on broadcast, cable, or satellite radio and television stations, studio time, material costs, and the charges for a broker to purchase the airtime.

**Who is a clearly identified candidate?**

A candidate is "clearly identified" when a candidate's name, nickname, photograph, or drawing appears, or the identity of the candidate is otherwise apparent through an unambiguous reference such as "the governor," "your legislator," or "the incumbent," or through an unambiguous reference to the candidate's status as a candidate such as "the [political party] gubernatorial nominee" or "the [political party] candidate for senate."

**Does the communication need to include a disclaimer?**

An electioneering communication must include a disclaimer in the same manner as required for campaign material under [section 211B.04, subdivision 1, paragraph \(c\)](#).

**Who are individuals sharing or exercising direction or control?**

"Individuals sharing or exercising direction or control" are officers, directors, executive directors or the equivalent, partners, and in the case of unincorporated organizations, owners, of the entity or person making the disbursement for the electioneering communication.