

1.1 moves to amend H.F. No. 43 as follows:

1.2 Page 4, delete subdivision 1

1.3 Page 5, delete subdivision 2 and insert:

1.4 "Subdivision 1. **Electioneering communication.** (a) "Electioneering
1.5 communication" means a communication distributed by television, radio, satellite, or
1.6 cable broadcasting system; by means of printed material, signs, or billboards; through the
1.7 use of telephone communications; or by electronic mail or electronic text messaging that:

1.8 (1) refers to a clearly identified candidate;

1.9 (2) is made within:

1.10 (i) 30 days before a primary election or special primary election for the office sought
1.11 by the candidate; or

1.12 (ii) 60 days before a general election or special election for the office sought by
1.13 the candidate;

1.14 (3) is targeted to the relevant electorate; and

1.15 (4) is made without the express or implied consent, authorization, or cooperation
1.16 of, and not in concert with or at the request or suggestion of, a candidate or a candidate's
1.17 principal campaign committee or agent.

1.18 (b) Electioneering communication does not include:

1.19 (1) the publishing or broadcasting of news items or editorial comments by the news
1.20 media;

1.21 (2) a communication that constitutes an approved expenditure or an independent
1.22 expenditure;

1.23 (3) a voter guide, which is a pamphlet or similar printed material, intended to help
1.24 voters compare candidates' positions on a set of issues, as long as each of the following is
1.25 true:

2.1 (i) the guide does not focus on a single issue or a narrow range of issues, but
2.2 includes questions and subjects sufficient to encompass major issues of interest to the
2.3 entire electorate;

2.4 (ii) the questions and any other description of the issues are clear and unbiased in
2.5 both their structure and content;

2.6 (iii) the questions posed and provided to the candidates are identical to those
2.7 included in the guide;

2.8 (iv) each candidate included in the guide is given a reasonable amount of time and
2.9 the same opportunity as other candidates to respond to the questions;

2.10 (v) if the candidate is given limited choices for an answer to a question, for example:
2.11 "support," "oppose," "yes," or "no," the candidate is also given an opportunity, subject to
2.12 reasonable limits, to explain the candidate's position in the candidate's own words; the
2.13 fact that a candidate provided an explanation is clearly indicated in the guide; and the
2.14 guide clearly indicates that the explanations will be made available for public inspection,
2.15 subject to reasonable conditions;

2.16 (vi) answers included in the guide are those provided by the candidates in response
2.17 to questions, the candidate's answers are unedited, and the answers appear in close
2.18 proximity to the question to which they respond;

2.19 (vii) if the guide includes candidates' positions based on information other than
2.20 responses provided directly by the candidate, the positions are based on recorded votes
2.21 or public statements of the candidates and are presented in an unedited and unbiased
2.22 manner; and

2.23 (viii) the guide includes all major party candidates for each office listed in the guide;

2.24 (4) any other communication specified in board rules or advisory opinions as being
2.25 excluded from the definition of electioneering communication; or

2.26 (5) a communication that:

2.27 (i) refers to a clearly identified candidate who is an incumbent member of the
2.28 legislature or a constitutional officer;

2.29 (ii) refers to a clearly identified issue that is or was before the legislature in the
2.30 form of an introduced bill; and

2.31 (iii) is made when the legislature is in session or within ten days after the last day of
2.32 a regular session of the legislature.

2.33 (c) A communication that meets the requirements of paragraph (a) but is made with
2.34 the authorization or express or implied consent of, or in cooperation or in concert with, or
2.35 at the request or suggestion of a candidate, a candidate's principal campaign committee, or
2.36 a candidate's agent is an approved expenditure.

3.1 (d) Distributing a voter guide questionnaire, survey, or similar document to
3.2 candidates and communications with candidates limited to obtaining their responses,
3.3 without more, do not constitute communications that would result in the voter guide being
3.4 an approved expenditure on behalf of the candidate.

3.5 Subd. 2. **Targeted to relevant electorate.** (a) For purposes of this section, a
3.6 communication that refers to a clearly identified candidate is targeted to the relevant
3.7 electorate if the communication is distributed to or can be received by more than 1,500
3.8 persons in the district the candidate seeks to represent, in the case of a candidate for the
3.9 house of representatives, senate, or a district court judicial office or by more than 6,000
3.10 persons in the state, in the case of a candidate for constitutional office or appellate court
3.11 judicial office. When determining the number of persons to whom a communication in the
3.12 form of a telephone call, printed material, electronic mail, or electronic text messaging is
3.13 distributed, an association may exclude communications distributed to its own members.

3.14 (b) A communication consisting of printed materials, other than signs, billboards,
3.15 or advertisements published in the print media, is targeted to the relevant electorate if it
3.16 meets the requirements of paragraph (a) and is distributed to voters by means of United
3.17 States mail or through direct delivery to a resident's home or business."