HOUSE RESEARCH

Bill Summary

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House File 2110 adds an exception to the general ban on gifts to local officials by interested persons. The bill provides that the prohibition does not apply when the recipient is an attendee at a conference sponsored by an organization, where the majority of attendees are persons from outside the state, and the same or equivalent gift of food or beverage given at a reception or meal is given or made available to everyone attending the conference. Effective the day after enactment.

Background:

Under current law, "an interested person may not give a gift or request another to give a gift to a local official. A local official may not accept a gift from an interested person." Minn. Stat. § 471.895, subd. 2.

An "interested person" is a person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make. Minn. Stat. § 471.895, subd. 1, para. (c).

A "gift" is 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 without the giver receiving consideration of equal or greater value in return. Minn. Stat. § 471.895, subd. 1, para. (b).

A "local official" means an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city. Minn. Stat. § 471.895, subd. 1, para. (d).

The bill provides an exception for local officials that is comparable to what the campaign finance and public disclosure board has determined applies to public officials (e.g., legislators) in its advisory opinion number 273.