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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1768

03/01/2021 Authored by Klevorn, Stephenson, O'Driscoll and Berg
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to commerce; regulating continuing education sponsors and instructors;
1.3 amending Minnesota Statutes 2020, section 45.33.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2020, section 45.33, is amended to read:

1.6 45.33 PROHIBITED PRACTICES FOR COORDINATORS AND INSTRUCTORS.

1.7 Subdivision 1. Marketing and advertising prohibitions. In connection with an approved
1.8 course, coordinators and instructors must not sell or solicit the services or practices of a
1.9 particular business. This includes but is not limited to:

- 1.10 (1) recommend or promote the services or practices of a particular business;
1.11 (2) encourage or recruit (1) selling the services or practices of, soliciting on behalf of,
1.12 encouraging or recruiting individuals to engage the services of, or become becoming
1.13 associated with, a particular business entity; and
1.14 (3) use materials, clothing, or other evidences of affiliation with a particular entity;
1.15 (4) require (2) requiring students to participate in other programs or services offered by
1.16 the instructor, coordinator, or education provider;

1.17 Subd. 1a. Prohibited practices. In connection with an approved course, coordinators
1.18 and instructors must not:

- 1.19 (5) (1) attempt, either directly or indirectly, to discover questions or answers on an
1.20 examination for a license;

2.1 ~~(6)~~ (2) disseminate to any other person specific questions, problems, or information
2.2 known or believed to be included in licensing examinations;

2.3 ~~(7)~~ (3) misrepresent any information submitted to the commissioner;

2.4 ~~(8)~~ (4) fail to cover, or ensure coverage of, all points, issues, and concepts contained in
2.5 the course outline approved by the commissioner during the approved instruction; ~~and~~ or

2.6 ~~(9)~~ (5) issue inaccurate course completion certificates.

2.7 Subd. 2. **Notification of disciplinary action.** Coordinators must notify the commissioner
2.8 within ten days of a felony or gross misdemeanor conviction or of disciplinary action taken
2.9 against an occupational license held by the coordinator or an instructor teaching an approved
2.10 offering. The notification may be grounds to suspend, deny, or revoke the approval of the
2.11 coordinator and grounds to disallow the use of a particular instructor.

2.12 Subd. 3. **Exceptions.** In connection with an approved course, coordinators and instructors
2.13 may:

2.14 (1) display a company logo or branding;

2.15 (2) establish a trade show or conference booth outside the classroom where the
2.16 educational content is being delivered that is separate from a registration location used to
2.17 track or facilitate student attendance; and

2.18 (3) display or distribute any print or electronic advertisement for a good or service in
2.19 the classroom during a break or breaks in the delivery of the educational content.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.