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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 368

- 01/19/2017 Authored by Bliss, Howe, Poston, Davids, Becker-Finn and others
The bill was read for the first time and referred to the Veterans Affairs Division
- 02/01/2017 Adoption of Report: Re-referred to the Committee on Commerce and Regulatory Reform
- 02/16/2017 Adoption of Report: Amended and re-referred to the Committee on Civil Law and Data Practices Policy
- 03/08/2018 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 05/08/2018 Referred to the Chief Clerk for Comparison with S. F. No. 327
- 05/09/2018 Postponed Indefinitely

1.1 A bill for an act

1.2 relating to consumer protection; prohibiting the assignment of military pay or

1.3 benefits; providing remedies; proposing coding for new law in Minnesota Statutes,

1.4 chapter 325F.

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

1.6 Section 1. **[325F.992] PROHIBITION OF ASSIGNMENT OF MILITARY PAY OR**

1.7 **MILITARY BENEFITS.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in paragraphs

1.9 (b) and (c) have the meanings given.

1.10 (b) "Military beneficiary" means a current or former enlisted member or officer of the

1.11 United States Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard; the

1.12 spouse of the member or officer; and any individual considered a beneficiary of the military

1.13 benefits of the member or officer.

1.14 (c) "Person" has the meaning given in section 325F.68.

1.15 Subd. 2. **Prohibition.** (a) A person shall not enter into or attempt to enter into an

1.16 agreement with a military beneficiary that assigns the military beneficiary's military pay or

1.17 military benefits in violation of United States Code, title 37, section 701, or United States

1.18 Code, title 38, section 5301.

1.19 (b) A person shall not enter into or attempt to enter into any agreement, device, scheme,

1.20 or other artifice with a military beneficiary, including but not limited to a purchase and sale

1.21 agreement, that assigns or sells all or a portion of the military beneficiary's military pay or

1.22 military benefits.

2.1 (c) An agreement prohibited by paragraph (a) or (b) is void, and a military beneficiary
2.2 is not required to disgorge or repay any consideration received under the agreement.

2.3 Subd. 3. **Penalties; remedies.** In addition to any other remedies available under the law,
2.4 the military beneficiary injured by a violation of this section may bring a cause of action to
2.5 recover damages, reasonable attorney fees and costs, or equitable relief related to a violation
2.6 of subdivision 2.