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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3293

05/05/2025

Authored by Howard, Greenman, Moller, Kozlowski, Kraft and others
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; creating the Minnesota Consumer Financial Protection
- 1.3

Bureau; appropriating money; amending Minnesota Statutes 2024, sections 10.65,
- 1.4

subdivision 2; 15A.0815, subdivision 2; 43A.08, subdivision 1a; proposing coding
- 1.5

for new law as Minnesota Statutes, chapter 45B.
- 1.6

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7

ARTICLE 1
- 1.8

CREATION OF MINNESOTA CONSUMER FINANCIAL PROTECTION BUREAU
- 1.9

Section 1. [45B.01] DEFINITIONS.
- 1.10

Subdivision 1. Application. For purposes of this chapter, the following terms have the
- 1.11

meanings given.
- 1.12

Subd. 2. Bureau. "Bureau" means the Minnesota Consumer Financial Protection Bureau.
- 1.13

Subd. 3. Commissioner. "Commissioner" means the commissioner of the Minnesota
- 1.14

Consumer Financial Protection Bureau.
- 1.15

Sec. 2. [45B.02] CREATION OF THE MINNESOTA CONSUMER FINANCIAL
- 1.16

PROTECTION BUREAU.
- 1.17

Subdivision 1. Bureau established. The Minnesota Consumer Financial Protection
- 1.18

Bureau is established.
- 1.19

Subd. 2. Intention. The bureau's purpose is to provide a single point of accountability
- 1.20

to enforce consumer financial laws and protect consumers in the financial marketplace.

2.1 Sec. 3. **[45B.03] COMMISSIONER.**

2.2 Subdivision 1. **General.** The bureau is under the commissioner's administrative control.
2.3 The commissioner is appointed by the governor with the advice and consent of the senate.
2.4 The commissioner has the general powers provided in section 15.06, subdivision 6. The
2.5 commissioner's salary must be established according to the procedure in sections 15A.0815,
2.6 subdivision 2, and 15A.082.

2.7 Subd. 2. **Duties of commissioner.** The commissioner's duties include:

2.8 (1) identifying and eliminating unfair, deceptive, or abusive acts or practices; supervising
2.9 companies; and enforcing the law;

2.10 (2) enforcing laws that outlaw discrimination in consumer finance;

2.11 (3) accepting and investigating consumer complaints;

2.12 (4) enhancing financial education;

2.13 (5) researching consumers' experience using financial products; and

2.14 (6) monitoring financial markets for new risks to consumers.

2.15 Sec. 4. **[45B.04] RULEMAKING.**

2.16 The commissioner may adopt rules to administer activities related to the bureau. Rules
2.17 adopted under this section are subject to the rulemaking requirements of chapter 14.

2.18 Sec. 5. **RECRUITING EMPLOYEES.**

2.19 The commissioner of the Minnesota Consumer Financial Protection Bureau must work
2.20 to recruit investigators with experience working at the federal Consumer Financial Protection
2.21 Bureau and that have expertise in banking, student loan servicing, mortgages, auto lending,
2.22 and other financial products.

2.23 Sec. 6. **APPROPRIATIONS.**

2.24 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general
2.25 fund to the commissioner of the Minnesota Consumer Financial Protection Bureau for the
2.26 operation and administration of the bureau.

3.1 **ARTICLE 2**

3.2 **CROSS-REFERENCING THE MINNESOTA CONSUMER FINANCIAL**
3.3 **PROTECTION BUREAU**

3.4 Section 1. Minnesota Statutes 2024, section 10.65, subdivision 2, is amended to read:

3.5 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
3.6 given:

3.7 (1) "agency" means the Department of Administration; Department of Agriculture;
3.8 Department of Children, Youth, and Families; Department of Commerce; Department of
3.9 Corrections; Department of Education; Department of Employment and Economic
3.10 Development; Department of Health; Office of Higher Education; Housing Finance Agency;
3.11 Department of Human Rights; Department of Human Services; Department of Information
3.12 Technology Services; Department of Iron Range Resources and Rehabilitation; Department
3.13 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;
3.14 Department of Military Affairs; Minnesota Consumer Financial Protection Bureau;
3.15 Metropolitan Council; Department of Natural Resources; Pollution Control Agency;
3.16 Department of Public Safety; Department of Revenue; Department of Transportation;
3.17 Department of Veterans Affairs; Direct Care and Treatment; Gambling Control Board;
3.18 Racing Commission; the Minnesota Lottery; the Animal Health Board; the Public Utilities
3.19 Commission; and the Board of Water and Soil Resources;

3.20 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal
3.21 governments in the development of policy on matters that have Tribal implications.
3.22 Consultation is the proactive, affirmative process of identifying and seeking input from
3.23 appropriate Tribal governments and considering their interest as a necessary and integral
3.24 part of the decision-making process. This definition adds to statutorily mandated notification
3.25 procedures. During a consultation, the burden is on the agency to show that it has made a
3.26 good faith effort to elicit feedback. Consultation is a formal engagement between agency
3.27 officials and the governing body or bodies of an individual Minnesota Tribal government
3.28 that the agency or an individual Tribal government may initiate. Formal meetings or
3.29 communication between top agency officials and the governing body of a Minnesota Tribal
3.30 government is a necessary element of consultation;

3.31 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
3.32 statements, or other actions that have substantial direct effects on one or more Minnesota
3.33 Tribal governments, or on the distribution of power and responsibilities between the state
3.34 and Minnesota Tribal governments;

(4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community; and Upper Sioux Community; and

(5) "timely and meaningful" means done or occurring at a favorable or useful time that allows the result of consultation to be included in the agency's decision-making process for a matter that has Tribal implications.

Sec. 2. Minnesota Statutes 2024, section 15A.0815, subdivision 2, is amended to read:

Subd. 2. **Agency head salaries.** The salary for a position listed in this subdivision shall be determined by the Compensation Council under section 15A.082. The commissioner of management and budget must publish the salaries on the department's website. This subdivision applies to the following positions:

Commissioner of administration;

Commissioner of agriculture;

Commissioner of education;

Commissioner of children, youth, and families;

Commissioner of commerce;

Commissioner of corrections;

Commissioner of health;

Commissioner, Minnesota Consumer Financial Protection Bureau;

Commissioner, Minnesota Office of Higher Education;

Commissioner, Minnesota IT Services;

Commissioner, Housing Finance Agency;

Commissioner of human rights;

Commissioner of human services;

Commissioner of labor and industry;

Commissioner of management and budget;

Commissioner of natural resources;

- 5.1 Commissioner, Pollution Control Agency;
- 5.2 Commissioner of public safety;
- 5.3 Commissioner of revenue;
- 5.4 Commissioner of employment and economic development;
- 5.5 Commissioner of transportation;
- 5.6 Commissioner of veterans affairs;
- 5.7 Executive director of the Gambling Control Board;
- 5.8 Executive director of the Minnesota State Lottery;
- 5.9 Executive director of the Office of Cannabis Management;
- 5.10 Commissioner of Iron Range resources and rehabilitation;
- 5.11 Commissioner, Bureau of Mediation Services;
- 5.12 Ombudsman for mental health and developmental disabilities;
- 5.13 Ombudsperson for corrections;
- 5.14 Chair, Metropolitan Council;
- 5.15 Chair, Metropolitan Airports Commission;
- 5.16 School trust lands director;
- 5.17 Executive director of pari-mutuel racing;
- 5.18 Commissioner, Public Utilities Commission;
- 5.19 Chief Executive Officer, Direct Care and Treatment; and
- 5.20 Director of the Office of Emergency Medical Services.

5.21 Sec. 3. Minnesota Statutes 2024, section 43A.08, subdivision 1a, is amended to read:

- 5.22 Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following
- 5.23 agencies may designate additional unclassified positions according to this subdivision: the
- 5.24 Departments of Administration; Agriculture; Children, Youth, and Families; Commerce;
- 5.25 Corrections; Education; Employment and Economic Development; Explore Minnesota
- 5.26 Tourism; Management and Budget; Health; Human Rights; Human Services; Labor and
- 5.27 Industry; Natural Resources; Public Safety; Revenue; Transportation; and Veterans Affairs;
- 5.28 the Housing Finance and Pollution Control Agencies; the State Lottery; the State Board of
- 5.29 Investment; the Office of Administrative Hearings; the Department of Information

6.1 Technology Services; the Minnesota Consumer Financial Protection Bureau; the Offices
6.2 of the Attorney General, Secretary of State, and State Auditor; the Minnesota State Colleges
6.3 and Universities; the Minnesota Office of Higher Education; the Perpich Center for Arts
6.4 Education; Direct Care and Treatment; the Minnesota Zoological Board; and the Office of
6.5 Emergency Medical Services.

6.6 A position designated by an appointing authority according to this subdivision must
6.7 meet the following standards and criteria:

6.8 (1) the designation of the position would not be contrary to other law relating specifically
6.9 to that agency;

6.10 (2) the person occupying the position would report directly to the agency head or deputy
6.11 agency head and would be designated as part of the agency head's management team;

6.12 (3) the duties of the position would involve significant discretion and substantial
6.13 involvement in the development, interpretation, and implementation of agency policy;

6.14 (4) the duties of the position would not require primarily personnel, accounting, or other
6.15 technical expertise where continuity in the position would be important;

6.16 (5) there would be a need for the person occupying the position to be accountable to,
6.17 loyal to, and compatible with, the governor and the agency head, the employing statutory
6.18 board or commission, or the employing constitutional officer;

6.19 (6) the position would be at the level of division or bureau director or assistant to the
6.20 agency head; and

6.21 (7) the commissioner has approved the designation as being consistent with the standards
6.22 and criteria in this subdivision.

APPENDIX
Article locations for 25-04888

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