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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3826

03/02/2026 Authored by Witte
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; modifying definition of identity for purposes of identity
1.3 theft crime; expanding authority of financial crimes and fraud section of Bureau
1.4 of Criminal Apprehension; making changes to administrative subpoenas; altering
1.5 statutes of limitation for certain fraud-related offenses; amending Minnesota
1.6 Statutes 2024, section 609.527, subdivision 1; Minnesota Statutes 2025 Supplement,
1.7 sections 299C.061, subdivision 3; 628.26.

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

1.9 Section 1. Minnesota Statutes 2025 Supplement, section 299C.061, subdivision 3, is
1.10 amended to read:

1.11 Subd. 3. Duties. (a) The Financial Crimes and Fraud Section shall:

1.12 (1) review notices and reports of insurance fraud and related crimes submitted by
1.13 authorized insurers, their employees, and agents or producers pursuant to sections 60A.951
1.14 to 60A.956;

1.15 (2) initiate inquiries and conduct investigations when the Section has reason to believe
1.16 that any of the following offenses have been or are being committed:

1.17 (i) fraud involving state-funded or administered programs or services in subdivision 1,
1.18 paragraph (b);

1.19 (ii) insurance fraud and related crimes, as defined in sections 60A.951, subdivision 4,
1.20 and 609.611, and support of those activities;

1.21 (iii) wage theft and related crimes; and

1.22 (iv) any other financial crimes; and

2.1 (3) operate the automobile theft prevention program under section 65B.84.

2.2 (b) For the purpose of investigating financial crimes and fraud, including but not limited
 2.3 to fraud involving state-funded or administered programs or services as defined in subdivision
 2.4 1, paragraph (b), and insurance fraud as defined in section 609.611, the superintendent of
 2.5 the Bureau of Criminal Apprehension may subpoena books, papers, correspondence,
 2.6 memoranda, agreements, or other documents or records that the superintendent considers
 2.7 relevant or material to the investigation. A subpoena issued under this subdivision must
 2.8 state that the person to whom the subpoena is directed must not disclose that the subpoena
 2.9 was issued or that the requested records have been given to law enforcement personnel
 2.10 except:

2.11 (1) insofar as the disclosure is necessary to find and disclose the records; or

2.12 (2) pursuant to a court order.

2.13 (c) The commissioner must report crimes related to insurance fraud disclosed by the
 2.14 Department of Commerce's investigations of civil insurance fraud to the Bureau of Criminal
 2.15 Apprehension.

2.16 Sec. 2. Minnesota Statutes 2024, section 609.527, subdivision 1, is amended to read:

2.17 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
 2.18 meanings given them in this subdivision.

2.19 (b) "Direct victim" means any person or entity described in section 611A.01, paragraph
 2.20 (b), whose identity has been transferred, used, or possessed in violation of this section.

2.21 (c) "False pretense" means any false, fictitious, misleading, or fraudulent information
 2.22 or pretense or pretext depicting or including or deceptively similar to the name, logo, website
 2.23 address, email address, postal address, telephone number, or any other identifying information
 2.24 of a for-profit or not-for-profit business or organization or of a government agency, to which
 2.25 the user has no legitimate claim of right.

2.26 (d) "Financial institution" has the meaning given in section 13A.01, subdivision 2.

2.27 (e) "Identity" means any name, voice or likeness, number, or data transmission that may
 2.28 be used, alone or in conjunction with any other information, to identify a specific individual
 2.29 or entity, including any of the following:

2.30 (1) a name, Social Security number, date of birth, official government-issued driver's
 2.31 license or identification number, government passport number, or employer or taxpayer
 2.32 identification number;

3.1 (2) forged digital likeness, meaning a visual representation of an actual and identifiable
 3.2 individual, or an audio recording of an actual identifiable individual's voice that:

3.3 (i) has been digitally created, adapted, altered, or modified in an attempt to be
 3.4 indistinguishable from a genuine visual representation or audio recording of the individual;

3.5 (ii) misrepresents the appearance, speech, or conduct of the individual; and

3.6 (iii) is likely to deceive a reasonable person into believing that the visual representation
 3.7 or audio recording is genuine.

3.8 ~~(2)~~ (3) unique electronic identification number, address, account number, or routing
 3.9 code; or

3.10 ~~(3)~~ (4) telecommunication identification information or access device.

3.11 (f) "Indirect victim" means any person or entity described in section 611A.01, paragraph
 3.12 (b), other than a direct victim.

3.13 (g) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause (3),
 3.14 and expenses incurred by a direct or indirect victim as a result of a violation of this section.

3.15 (h) "Unlawful activity" means:

3.16 (1) any felony violation of the laws of this state or any felony violation of a similar law
 3.17 of another state or the United States; and

3.18 (2) any nonfelony violation of the laws of this state involving theft, theft by swindle,
 3.19 forgery, fraud, or giving false information to a public official, or any nonfelony violation
 3.20 of a similar law of another state or the United States.

3.21 (i) "Scanning device" means a scanner, reader, or any other electronic device that is used
 3.22 to access, read, scan, obtain, memorize, or store, temporarily or permanently, information
 3.23 encoded on a computer chip or magnetic strip or stripe of a payment card, driver's license,
 3.24 or state-issued identification card.

3.25 (j) "Reencoder" means an electronic device that places encoded information from the
 3.26 computer chip or magnetic strip or stripe of a payment card, driver's license, or state-issued
 3.27 identification card, onto the computer chip or magnetic strip or stripe of a different payment
 3.28 card, driver's license, or state-issued identification card, or any electronic medium that
 3.29 allows an authorized transaction to occur.

3.30 (k) "Payment card" means a credit card, charge card, debit card, or any other card that:

3.31 (1) is issued to an authorized card user; and

4.1 (2) allows the user to obtain, purchase, or receive credit, money, a good, a service, or
4.2 anything of value.

4.3 Sec. 3. Minnesota Statutes 2025 Supplement, section 628.26, is amended to read:

4.4 **628.26 LIMITATIONS.**

4.5 (a) Indictments or complaints for any crime resulting in the death of the victim may be
4.6 found or made at any time after the death of the person killed.

4.7 (b) Indictments or complaints for a violation of section 609.25 may be found or made
4.8 at any time after the commission of the offense.

4.9 (c) Indictments or complaints for violation of section 609.282 may be found or made at
4.10 any time after the commission of the offense if the victim was under the age of 18 at the
4.11 time of the offense.

4.12 (d) Indictments or complaints for violation of section 609.282 where the victim was 18
4.13 years of age or older at the time of the offense, or 609.42, subdivision 1, clause (1) or (2),
4.14 shall be found or made and filed in the proper court within six years after the commission
4.15 of the offense.

4.16 (e) Indictments or complaints for violation of sections 609.322, 609.342 to 609.345, and
4.17 609.3458 may be found or made at any time after the commission of the offense.

4.18 (f) Indictments or complaints for a violation of section 609.561 shall be found or made
4.19 and filed in the proper court within ten years after the commission of the offense.

4.20 (g) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision
4.21 2, paragraph (a), clause (3), item (iii), shall be found or made and filed in the proper court
4.22 within six years after the commission of the offense.

4.23 (h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision 2,
4.24 paragraph (a), clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where
4.25 the value of the property or services stolen is more than \$35,000, or for violation of section
4.26 609.527 where the offense involves eight or more direct victims or the total combined loss
4.27 to the direct and indirect victims is more than \$35,000, shall be found or made and filed in
4.28 the proper court within five years after the commission of the offense.

4.29 (i) Except for violations relating to false material statements, representations or omissions,
4.30 indictments or complaints for violations of section 609.671 shall be found or made and filed
4.31 in the proper court within five years after the commission of the offense.

5.1 (j) Indictments or complaints for violation of sections 609.562 and 609.563, shall be
5.2 found or made and filed in the proper court within five years after the commission of the
5.3 offense.

5.4 (k) Indictments or complaints for violation of section 609.746 shall be found or made
5.5 and filed in the proper court within the later of three years after the commission of the
5.6 offense or three years after the offense was reported to law enforcement authorities.

5.7 (l) The statute of limitations for criminal offenses defined or referenced in sections
5.8 80A.75; 508.80; 609.445; 609.465; 609.52, subdivision 2, paragraph (a), clause (4); 609.53;
5.9 or 609.645, shall not begin to run until the victim or a law enforcement agency is aware of
5.10 the fraud, but in no event may the prosecution be commenced later than seven years after
5.11 the act has occurred.

5.12 ~~(m)~~ (m) In all other cases, indictments or complaints shall be found or made and filed in
5.13 the proper court within three years after the commission of the offense.

5.14 ~~(n)~~ (n) The limitations periods contained in this section shall exclude any period of time
5.15 during which the defendant was not an inhabitant of or usually resident within this state.

5.16 ~~(o)~~ (o) The limitations periods contained in this section for an offense shall not include
5.17 any period during which the alleged offender participated under a written agreement in a
5.18 pretrial diversion program relating to that offense.

5.19 ~~(p)~~ (p) The limitations periods contained in this section shall not include any period of
5.20 time during which physical evidence relating to the offense was undergoing DNA analysis,
5.21 as defined in section 299C.155, unless the defendant demonstrates that the prosecuting or
5.22 law enforcement agency purposefully delayed the DNA analysis process in order to gain
5.23 an unfair advantage.