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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3826

- 03/02/2026 Authored by Witte
- 03/16/2026 The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
- 03/16/2026 Adoption of Report: Amended and re-referred to the Committee on State Government Finance and Policy
- 03/23/2026 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act

1.2 relating to public safety; modifying and adding definitions for purposes of identity

1.3 theft crime; providing the attorney general and county attorneys with additional

1.4 subpoena authority; altering statutes of limitation for certain fraud-related offenses;

1.5 amending Minnesota Statutes 2024, sections 8.16, subdivision 1; 609.527,

1.6 subdivision 1; Minnesota Statutes 2025 Supplement, sections 388.23, subdivision

1.7 1; 628.26.

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

1.9 Section 1. Minnesota Statutes 2024, section 8.16, subdivision 1, is amended to read:

1.10 Subdivision 1. **Authority.** (a) The attorney general, or any deputy, assistant, or special

1.11 assistant attorney general whom the attorney general authorizes in writing, has the authority

1.12 in any county of the state to subpoena and require the production of:

1.13 (1) any records of:

1.14 (i) telephone companies, cellular phone companies, paging companies, subscribers of

1.15 private computer networks including Internet service providers or computer bulletin board

1.16 systems;

1.17 (ii) electric companies, gas companies, and water utilities;

1.18 (iii) chemical suppliers;

1.19 (iv) hotels and motels;

1.20 (v) pawn shops;

1.21 (vi) airlines, buses, taxis, and other entities engaged in the business of transporting

1.22 people; and

2.1 (vii) freight companies, self-service storage facilities, warehousing companies, package
2.2 delivery companies, and other entities engaged in the businesses of transport, storage, or
2.3 delivery;

2.4 (2) books, papers, correspondence, memoranda, agreements, and other documents or
2.5 records related to a law enforcement investigation of financial crimes and fraud, including
2.6 but not limited to fraud involving state-funded or administered programs or services as
2.7 defined in section 299C.061, subdivision 1, paragraph (b), and insurance fraud in violation
2.8 of section 609.611; and

2.9 (3) records of the existence of safe deposit box account numbers and customer savings
2.10 and checking account numbers maintained by financial institutions and safe deposit
2.11 companies.

2.12 (b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate
2.13 law enforcement investigation.

2.14 Sec. 2. Minnesota Statutes 2025 Supplement, section 388.23, subdivision 1, is amended
2.15 to read:

2.16 Subdivision 1. **Authority.** (a) The county attorney, or any deputy or assistant county
2.17 attorney whom the county attorney authorizes in writing, has the authority to subpoena and
2.18 require the production of:

2.19 (1) any records of:

2.20 (i) telephone companies, cellular phone companies, paging companies, and subscribers
2.21 of private computer networks including Internet service providers or computer bulletin
2.22 board systems;

2.23 (ii) electric companies, gas companies, and water utilities;

2.24 (iii) chemical suppliers;

2.25 (iv) hotels and motels;

2.26 (v) pawn shops;

2.27 (vi) airlines, buses, taxis, and other entities engaged in the business of transporting
2.28 people; and

2.29 (vii) freight companies, warehousing companies, self-service storage facilities, package
2.30 delivery companies, and other entities engaged in the businesses of transport, storage, or
2.31 delivery;

3.1 (2) books, papers, correspondence, memoranda, agreements, and other documents or
3.2 records related to a law enforcement investigation of financial crimes and fraud, including
3.3 but not limited to fraud involving state-funded or administered programs or services as
3.4 defined in section 299C.061, subdivision 1, paragraph (b), and insurance fraud in violation
3.5 of section 609.611;

3.6 ~~(2)~~(3) records of the existence of safe deposit box account numbers and customer savings
3.7 and checking account numbers maintained by financial institutions and safe deposit
3.8 companies;

3.9 ~~(3)~~(4) insurance records relating to the monetary payment or settlement of claims;

3.10 ~~(4)~~(5) the banking, credit card, and financial records of a subject of an identity theft
3.11 investigation or a vulnerable adult, whether held in the name of the vulnerable adult or a
3.12 third party, including but not limited to safe deposit, loan and account applications and
3.13 agreements, signature cards, statements, checks, transfers, account authorizations, safe
3.14 deposit access records and documentation of fraud;

3.15 ~~(5)~~(6) wage and employment records of an applicant or recipient of public assistance
3.16 who is the subject of a welfare fraud investigation relating to eligibility information for
3.17 public assistance programs; and

3.18 ~~(6)~~(7) any of the following records of an employer or business entity who is the subject
3.19 of or has information related to a wage theft investigation:

3.20 (i) accounting and financial records such as books, registers, payrolls, banking records,
3.21 credit card records, securities records, and records of money transfers;

3.22 (ii) records required to be kept pursuant to section 177.30, paragraph (a); and

3.23 (iii) other records that in any way relate to wages or other income paid, hours worked,
3.24 and other conditions of employment of any employee or of work performed by persons
3.25 identified as independent contractors, and records of any payments to contractors, and
3.26 records of workers' compensation insurance.

3.27 (b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate
3.28 law enforcement investigation. Administrative subpoenas may only be issued in wage theft,
3.29 welfare fraud, and identity theft cases if there is probable cause to believe a crime has been
3.30 committed.

3.31 (c) This subdivision applies only to the records of business entities and does not extend
3.32 to private individuals or their dwellings.

4.1 (d) As used in this subdivision, "business entity" has the meaning given in section
4.2 308B.005.

4.3 Sec. 3. Minnesota Statutes 2024, section 609.527, subdivision 1, is amended to read:

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

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

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

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

4.14 (e) "Forged digital likeness" means any video recording, motion-picture film, sound
4.15 recording, electronic image, or photograph, or any technological representation of speech
4.16 or conduct substantially derivative thereof that:

4.17 (1) was created, adapted, altered, or modified in a manner that was substantially dependent
4.18 upon technical means;

4.19 (2) misrepresents the appearance, speech, or conduct of the individual; and

4.20 (3) is so realistic that a reasonable person would believe it depicts the image or speech
4.21 of an actual individual.

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

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

4.28 (2) a forged digital likeness;

4.29 ~~(2)~~ (3) a unique electronic identification number, address, account number, or routing
4.30 code; or

4.31 ~~(3)~~ (4) a telecommunication identification information or access device.

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

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

5.6 ~~(h)~~ (i) "Unlawful activity" means:

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

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

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

5.16 ~~(j)~~ (k) "Reencoder" means an electronic device that places encoded information from
5.17 the computer chip or magnetic strip or stripe of a payment card, driver's license, or
5.18 state-issued identification card, onto the computer chip or magnetic strip or stripe of a
5.19 different payment card, driver's license, or state-issued identification card, or any electronic
5.20 medium that allows an authorized transaction to occur.

5.21 ~~(k)~~ (l) "Payment card" means a credit card, charge card, debit card, or any other card
5.22 that:

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

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

5.26 Sec. 4. Minnesota Statutes 2025 Supplement, section 628.26, is amended to read:

5.27 **628.26 LIMITATIONS.**

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

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

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

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

6.8 (e) Indictments or complaints for violation of sections 609.322, 609.342 to 609.345, and
6.9 609.3458 may be found or made at any time after the commission of the offense.

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

6.12 (g) Indictments or complaints for violation of chapter 80A, or a rule adopted or order
6.13 issued under that chapter, made as provided in section 80A.75 or for violation of section
6.14 508.80; 609.465; 609.52, subdivision 2, paragraph (a), clause (4); 609.53; or 609.645 shall
6.15 be found or made and filed in the proper court within seven years after the commission of
6.16 the offense.

6.17 ~~(g)~~ (h) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision
6.18 2, paragraph (a), clause (3), item (iii), shall be found or made and filed in the proper court
6.19 within six years after the commission of the offense.

6.20 ~~(h)~~ (i) Indictments or complaints for violation of section 609.2335, 609.52, subdivision
6.21 2, paragraph (a), clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where
6.22 the value of the property or services stolen is more than \$35,000, or for violation of section
6.23 609.527 where the offense involves eight or more direct victims or the total combined loss
6.24 to the direct and indirect victims is more than \$35,000, shall be found or made and filed in
6.25 the proper court within five years after the commission of the offense.

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

6.29 ~~(j)~~ (k) Indictments or complaints for violation of sections 609.562 and 609.563, shall be
6.30 found or made and filed in the proper court within five years after the commission of the
6.31 offense.

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

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

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

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

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

7.16 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes
7.17 committed on or after that date and to crimes committed before that date if the limitations
7.18 period for the crime did not expire before August 1, 2026.