

A bill for an act
relating to commerce; regulating the provision of certain goods and services of
residential contractors; providing enforcement; amending Minnesota Statutes
2010, section 325E.66.

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

Section 1. Minnesota Statutes 2010, section 325E.66, is amended to read:

**325E.66 INSURANCE CLAIMS FOR RESIDENTIAL ~~ROOFING~~
CONTRACTING GOODS AND SERVICES.**

Subdivision 1. **Payment or rebate of insurance deductible.** A residential
contractor providing ~~residential roofing~~ goods and services to be paid by an insured from
the proceeds of a property or casualty insurance policy shall not ~~advertise or promise to~~
~~pay or rebate all or part of any applicable insurance deductible,~~ as an inducement to the
sale or provision of goods or services to an insured, advertise or give directly or indirectly
to an insured or any other person not in the employ of a residential contractor any: (1)
rebate, including advertising or promising to pay all or any part of an insurance deductible;
(2) gift; (3) prize; (4) bonus; (5) coupon; (6) credit; (7) referral fee; (8) trade-in or trade-in
payment; (9) advertising or other fee or payment; or (10) anything of value whatsoever. If
a residential contractor violates this section, the insurer to whom the insured tendered the
claim shall not be obligated to consider the estimate prepared by the residential contractor.

For purposes of this section, "residential contractor" means a residential roofer, as
defined in section 326B.802, subdivision 14; a residential contractor, as defined in section
326B.802, subdivision 11; and a residential remodeler, as defined in section 326B.802,
subdivision 12.

H.F. No. 1420, as introduced - 87th Legislative Session (2011-2012) [11-1127]

2.1 Subd. 2. ~~Violation~~ **Private remedy.** If a residential contractor violates subdivision
2.2 1, the insured or the applicable insurer may bring an action against the residential
2.3 contractor in a court of competent jurisdiction for damages sustained by the insured or
2.4 insurer as a consequence of the residential ~~roofer's~~ contractor's violation.

2.5 Subd. 3. **Public enforcement.** The commissioner of labor and industry shall enforce
2.6 this section under sections 326B.081 to 326B.085.