

A bill for an act
relating to consumer protection; regulating consumer contracts; imposing certain
language requests; providing remedies; amending Minnesota Statutes 2008,
section 325G.31.

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

Section 1. Minnesota Statutes 2008, section 325G.31, is amended to read:

325G.31 ~~PLAIN LANGUAGE REQUIRED~~ REQUIREMENTS.

Subdivision 1. Requirements. (a) Except as provided in section 325G.32, every
consumer contract ~~shall~~ must be written in a clear and coherent manner using words with
common and everyday meanings and ~~shall~~ must be appropriately divided and captioned
by its various sections.

(b) If, in the course of entering into a consumer contract, a person negotiates with
the consumer in a language other than English, the consumer contract entered into must be
written in the language used by the parties during the negotiations.

Subd. 2. Remedies. (a) A contract that contains a material violation of subdivision
1, paragraph (b), is voidable by the consumer.

(b) A person who commits a material violation of subdivision 1, paragraph (b), is
liable to the consumer for:

(1) actual, incidental, and consequential damages;

(2) statutory damages of \$500; and

(3) reasonable attorney fees, costs, and disbursements.

(c) A person who knowingly commits a material violation of subdivision 1,
paragraph (b), is liable to the consumer for treble damages and statutory damages of
\$2,500.

H.F. No. 3710, as introduced - 86th Legislative Session (2009-2010) [10-5050]

- 2.1 For the purposes of this subdivision, "person" means an individual, partnership,
2.2 corporation, or other business or legal entity.